

Licensing Panel (Licensing Act 2003 Functions)

Date: **9 July 2024**

Time: **11.00am**

Venue **Virtual**

Members: **Councillors:** Hewitt, McGregor and Thomson

Contact: Niall Breen
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AGENDA

1 TO APPOINT A CHAIR FOR THE MEETING

WELCOME & INTRODUCTIONS

2 PROCEDURAL BUSINESS

(a) **Declaration of Substitutes:** Where Councillors are unable to attend a meeting, a substitute Member from the Licensing Committee may attend, speak and vote in their place for that meeting.

(b) **Declarations of Interest:**

- (a) Disclosable pecuniary interests;
- (b) Any other interests required to be registered under the local code;
- (c) Any other general interest as a result of which a decision on the matter might reasonably be regarded as affecting you or a partner more than a majority of other people or businesses in the ward/s affected by the decision.

In each case, you need to declare

- (i) the item on the agenda the interest relates to;
- (ii) the nature of the interest; and
- (iii) whether it is a disclosable pecuniary interest or some other interest.

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(c) **Exclusion of Press and Public:** To consider whether, in view of the nature of the business to be transacted, or the nature of the proceedings, the press and public should be excluded from the meeting when any of the following items are under consideration.

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A list and description of the exempt categories is available for public inspection at Brighton and Hove Town Halls.

3 THE PIPELINE LICENSING PANEL (LICENSING ACT 2003 FUNCTIONS)

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Contact Officer: Corinne Hardcastle
Ward Affected: Regency

Tel: 0127329

Date of Publication - Monday, 1 July 2024

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Licensing Panel (Licensing Act 2003 Functions)

Brighton & Hove City Council

Subject:	Application for a Variation of a Premises Licence under the Licensing Act 2003		
Premises:	The Pipeline, 6 Little East Street, Brighton, BN1 1HT		
Applicant:	The Pipeline Entertainments Ltd		
Date of Meeting:	9th July 2024		
Report of:	Corporate Director for City Services		
Contact Officer:	Name:	Corinne Hardcastle	Tel: (01273) 292100
	Email:	corinne.hardcastle@brighton-hove.gov.uk	
Ward(s) affected:	Regency		

1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 To determine an application for a Variation of a Premises Licence under the Licensing Act 2003 for The Pipeline.

2. RECOMMENDATIONS:

- 2.1 That the Panel determine an application for a Variation of a Premises Licence under the Licensing Act 2003 for The Pipeline.

3. CONTEXT/BACKGROUND INFORMATION & CONSULTATION

- 3.1.1 The application is for a Variation of a Premises Licence under the Licensing Act 2003. The application proposes:

This is an application to amend the operating schedule and update the first floor plan to add the stage for the Pipeline grassroots music venue.

By way of background the licence was reviewed by the Police in 2015 as it was a vertical drinking establishment and had caused resulting issues with crime and disorder that do come with those type of premises in Brighton City Centre.

Our premises serves food but we primary operate the upstairs function area as grassroots music venue and therefore wish to get the licence amended to prevent ourselves being in breach of these conditions.

The premises doesn't seek to amend any of the other conditions and believes that our operating as a grassroots music venue and not a vertical drinking establishment complies with the decision made by the Committee in 2015 and promotes the four licensing objectives.

- 3.2 Part M of the application is detailed at Appendix A and the new plan of the premises is attached at Appendix B

3.3 Summary table of existing activities.

	Existing
Films	Monday – Thursday 18:00 – 22:30 Friday – Sunday 12:00 – 23:30
Live music	Monday – Thursday 18:00 – 23:00 Friday – Sunday 14:00 – 00:00
Recorded Music	Monday – Thursday 11:00 – 00:00 Friday – Saturday 11:00 – 02:00 Sunday 11:00 – 00:00
Performance of a Play	Monday – Thursday 18:00 – 00:00 Friday – Sunday 12:00 – 00:00
Late Night Refreshment	Monday – Thursday 23:00 – 00:00 Friday – Saturday 23:00 – 02:00 Sunday 23:00 – 00:00
Supply of Alcohol	Monday–Thursday 11:00 – 00:00 On the Premises Friday – Saturday 11:00 – 01:00 On the Premises Sunday 11:00 – 00:00 On the Premises
Hours premises are open to public	Monday – Thursday 11:00 – 00:00 Friday – Saturday 11:00 – 02:00 Sunday 11:00 – 00:00

3.4 Existing licence attached at Appendix C.

3.5 Cumulative Impact. The premises falls within the Cumulative Impact Area (“The Area”) (see paragraphs 3.1 – 3.1.10).

Representations received

3.6 Details of the representations made are notified to applicants on receipt by the Licensing Authority using a pro-forma. A summary appears below:

3.7 2 representations were received. They were received from Sussex Police and The Licensing Authority.

3.8 Representations received had concerns relating to Prevention of Crime and Disorder, Cumulative Impact, Public Safety, and Prevention of Public Nuisance.

3.9 Full details of the representations and supplementary documentation from The Licensing Authority and Sussex Police are attached at Appendix D. A map detailing the location of the premises is attached at Appendix E.

4. COMMENTARY ON THE LICENSING POLICY

4.1 The following extracts from Brighton & Hove City Council Statement of Licensing Policy are considered relevant to this application and **are numbered as they appear in the policy**:

1 Introduction

1.1 This Statement of Licensing Policy has been prepared in accordance with the provisions of the Licensing Act 2003 (the Act) and having regard to Guidance issued by the Home Office under Section 182 of the act. This policy takes effect from the 4th February 2021. The licensing authority is Brighton & Hove City Council. The purpose of this statement is to promote the licensing objectives and set out a general approach to making licensing decisions. The discretion of the licensing authority in relation to applications under the act is only engaged if 'relevant representations' are made by other persons or responsible authorities. This policy will inform the approach to be taken when deciding applications and imposing conditions when relevant representations are received. It is also intended as a guide for applicants as to what to include in their operating schedules, always recognising that if no representations are received, the application must be granted. The licensing authority must carry out its functions with a view to promoting the licensing objectives and this policy is framed around those objectives. Each application will be given individual consideration on its merit. The scope of this policy covers the following:

- Retail sales of alcohol.
- The supply of alcohol by or on behalf of a club, or to the order of, a member of the club.
- The provision of regulated entertainment.
- The provision of late night refreshment.

1.2 The licensing objectives are:

- (a) the prevention of crime and disorder.
- (b) public safety.
- (c) the prevention of public nuisance; and
- (d) the protection of children from harm.

1.3 Scope

1.3.1 Licensing is about regulating licensable activities on licensed premises, by qualifying clubs and at temporary events. Any conditions attached to various authorisations will be focused on matters which are within the control of individual licensees and others with relevant authorisations, i.e. the premises and its vicinity. Each application will be given individual consideration on its merit. Nothing in this policy shall undermine the right of any individual to apply under the terms of the act for a variety of permissions and to have any such application considered on its individual merits. Similarly, nothing in this policy shall override the right of any person to make representations on an application or seek a review of a licence or certificate where provision has been made for them to do so in the act.

3 Special Policies and Initiatives

3.1 Cumulative impact

3.1.1 The licensing authority may receive representations from either a responsible authority or other persons that the premises will give rise to a negative cumulative impact on one or more of the licensing objectives. This should not, however, be

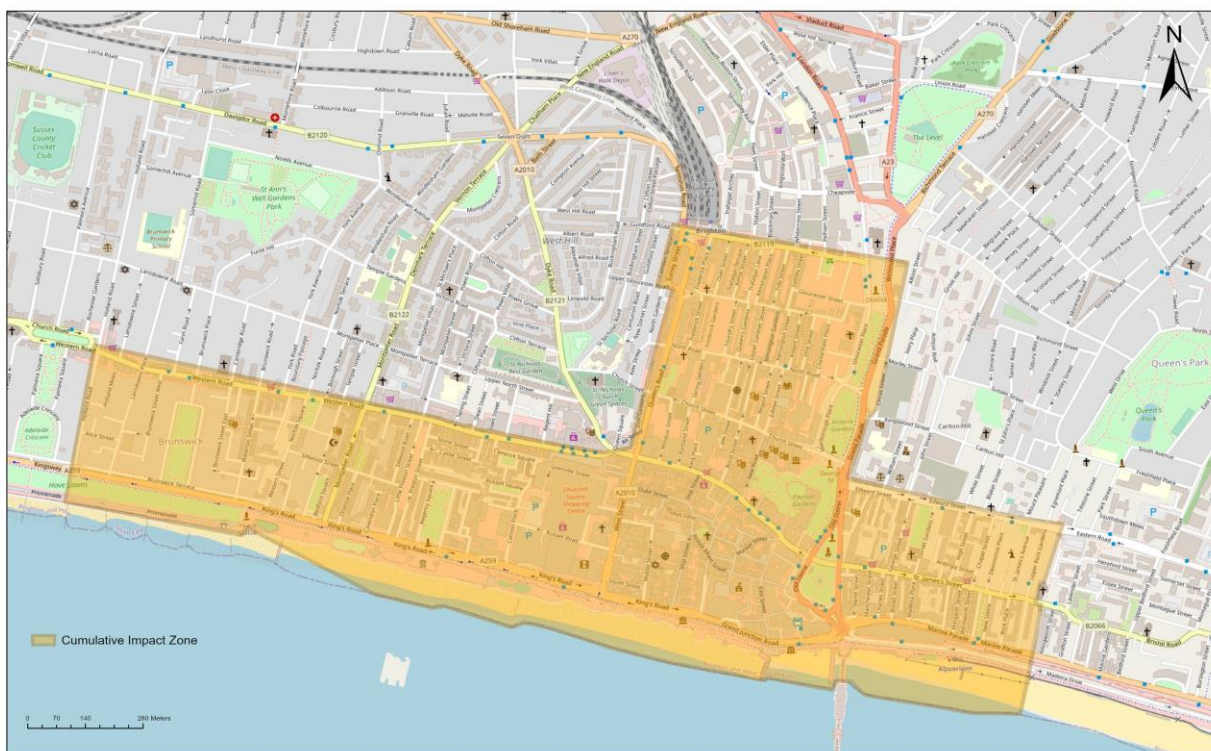
confused with 'need' which relates more to the commercial demand for a particular type of premises. The issue of 'need' is therefore a matter for the market to decide and can, in some circumstances, be a matter for planning consideration; need therefore, does not form part of this licensing policy statement.

3.1.2 Special Policy - Cumulative Impact is defined as the potential impact upon the promotion of the licensing objectives of a significant number of licensed premises concentrated in one area.

3.1.3 The licensing authority, after careful consideration, has determined that the concentration of licensed premises in an area of the city centre is causing problems of crime and disorder and public nuisance, and that therefore an approach to 'Cumulative Impact' is necessary as part of its statement of licensing policy. The first Special Policy incorporating a Cumulative Impact Zone (CIZ) and Special Stress Areas (SSA's) was adopted in March 2008. Since that date, the licensing authority has kept the CIZ and SSA's under review. On 15 December 2011 Full Council resolved to expand the CIZ and the special stress area, covering 1.5% of the administrative area of Brighton & Hove City Council. On 20th November 2014 Licensing Committee resolved to confirm the current CIZ and SSA as defined in the current Statement of Licensing Policy. On the 29th November 2018 Licensing Committee resolved to expand the SSA into Central Hove. It is now proposed to expand the SSA into Preston Road and Beaconsfield Road. The licensing authority has published a Cumulative Impact Assessment which can be found at Appendix E.

3.1.4 This special policy will refer to a Cumulative Impact Zone ("the CIZ") in the Brighton city centre, a detailed plan of which is shown below.

Cumulative Impact Zone, January 2021



Brighton & Hove Public Health Intelligence, 2021
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3.1.5 The Cumulative Impact Zone comprises the area bounded by and including: the

north side of Western Road, Brighton from its intersection with the west side of Holland Road to the junction with the west side of Dyke Road at its eastern end; from there, north-east to the junction of the north side of Air Street with the west side of Queens Road and then northward to the north-west corner of Surrey Street junction with Queens Road; thence along the north side of Trafalgar Street eastwards to its junction with York Place and continuing south-east across to Grand Parade, then south to the junction of Edward Street; along the north side of Edward Street to the east side of its junction with Egremont Place and southward along the eastern sides of Upper Rock Gardens and Lower Rock Gardens; southward to the mean water mark and following the mean water line westward to a point due south of the west boundary of Holland Road; northward to that point and along the west side of Holland Road to its northwest boundary and then diagonally across Western Road to its intersection with the west side of Holland Road.

3.1.6 The special policy will only be overridden in exceptional circumstances. The effect of this special policy is that applications for new premises licences or club premises certificates within the area, or variations which are likely to add to the existing Cumulative Impact will be refused following relevant representations. This presumption can be rebutted by the applicant if they can show that their application will have no negative Cumulative Impact.

3.1.7 This special policy also applies to all new premises licences and club premises certificates, for example pubs, restaurants and take-away establishments. Off licences also come within this policy as they can contribute to problems of street drinking, proxy purchasing, dispersal issues, preloading and excessive drinking and related disorder.

3.1.8 The presumption of refusal does not relieve responsible authorities or other persons of the need to make a relevant representation. If there are no representations, the licensing authority must grant the application in terms consistent with the operating schedule submitted.

3.1.9 Furthermore, this special policy is not absolute. Upon receipt of a relevant representation, the licensing authority will always consider the circumstances of each case and whether there are exceptional circumstances to justify departing from its special policy in the light of the individual circumstances of the case. If an application is unlikely to add to the cumulative impact of the area, it may be granted. The impact can be expected to be different for premises with different styles and characteristics. For example, while a large nightclub or high capacity public house might add to problems of cumulative impact, a small restaurant, theatre or live music venue (where alcohol is not the primary activity) may be considered exceptional circumstances. The fact that a premises will be/is exceptionally well managed with a well-qualified applicant, or that there are no residential premises nearby, will not be considered exceptional.

3.1.10 If the licensing authority decides that an application should be refused, it will still need to show that the grant of the application would undermine the promotion of one of the licensing objectives and that conditions would be ineffective in preventing the problems involved.

3.3 The Matrix Approach

The Licensing Authority will support:

3.3.1 Diversity of premises: ensures that there is a mix of the different types of licensed premises and attracts a more diverse range of customers from different age groups, different communities and with different attitudes to alcohol consumption. It gives potential for positively changing the ambience of the city or an area of it. This will have a positive effect in reducing people's fear of crime and in increasing the number of evening visitors to the city centre. The Community Safety Strategy recognises that too many single uses in a confined area and patrons turning out onto the streets at the same time may create opportunities for violent crime and public disorder and therefore supports mixed use venues encouraging a wider age balance.

3.3.2 A "matrix" approach to licensing decisions has been adopted and is set out below. It provides a framework of what the licensing authority would like to see within its area and gives an indication of the likelihood of success or otherwise to investor and businesses making applications.

Matrix approach for licensing decisions in a Statement of Licensing Policy (times relates to licensable activities)

	Cumulative Impact Area	Special Stress Area	Other Areas
Restaurant	Yes (midnight)	Yes (midnight)	Yes (midnight)
Café	Yes (10 pm)	Yes (10 pm)	Yes (10 pm)
Late Night Takeaways	No	Yes (midnight)	Yes (midnight)
Night Club	No	No	No
Pub	No	Yes (11pm)	Yes (midnight)
Non-alcohol lead (e.g. Theatre)	Yes (favourable)	Yes (favourable)	Yes (favourable)
Off-licence	No	No	Yes (Up to 11pm but if in densely residential area may be earlier – see note 7 below)
Members Club (club premises)	Yes (<100 capacity)	Yes (<100 capacity)	Yes

certificate)	(11pm)	(11pm)	
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Notes on matrix

Subject to the following notes, the policy, as represented in the matrix, will be strictly adhered to:

- 1) Each application will be considered on individual merit
- 2) Applications within the CIZ are subject to the special policy on cumulative impact at para 3.1, and those within the special stress area to the special stress policy considerations at para 3.2.
- 3) Departure from the matrix policy is expected only in exceptional circumstances
- 4) Exceptional circumstances will not include quality of management or size of venue except where explicitly stated in policy matrix.
- 5) Exceptional circumstances may include: consultation with and meeting requirements of responsible authorities, an appropriate corporate social responsibility policy, community contribution to offset impact (such as financial contribution to infrastructure), community support, alcohol sale ancillary to business activity (demonstrable to responsible authorities and licensing authority, for instance by licence condition allowing authorised officers access to sales accounts).
- 6) The following licensing activities are encouraged and valued by the licensing authority: outdoor regulated entertainment, community based street parties, members clubs, traditional pubs outside the city centre and non-alcohol led licensable activities, particularly within city centre.
- 7) Other Areas; consideration will be given to the nature of the area and location in relation to any application. In a residential area for example the concerns of local residents will be relevant when considering applications for off-licences, pubs or cafes, especially if there is evidence of anti-social behaviour, street drinking or underage drinking. Earlier closing times may be appropriate. Regard will be had to the Public Health Framework for assessing alcohol licensing on our website www.brighton-hove.gov.uk/licensingact.
- 8) In an area where there are already several existing off-licences or where the premises is situated within a parade with another off licence and where representations are received about negative cumulative impact on the licensing objectives of a further premises, the application may be refused on these grounds or restrictions placed on the terminal hour to reflect opening hours of other shops.
- 9) Outdoor events will be supported where arranged through the council's event planning process. Generally, regulated entertainment in the open air including tents and marquees should have a maximum closure hour of 2300. Earlier hours may be imposed in sensitive open spaces or near residential areas. The licensing authority will have regard to Noise Council guidance.

10) Non-alcohol led category does not include “alcohol in shared workplaces”. It is recommended that sale of alcohol in shared workspaces should have a terminal hour of no later than 10pm. For further advice and guidance on “alcohol in shared workplaces” please see paragraph 3.3.4-3.3.6.

3.3.3 Cafes - the licensing authority may be prepared to look favourably upon an application for the grant of a licence, subject to the following conditions that will prevent the premises becoming a public house.

- The sale of intoxicating liquor and other beverages shall be waiter/waitress service for consumption by persons seated at tables.
- Substantial food shall be available at all times. The licensing authority shall judge each case on its own merits but as a general rule, a bowl of crisps, nuts, or olives does not constitute substantial food.

3.3.3 Restaurants - the licensing authority may be prepared to look favourably upon an application for the grant of a licence, subject to the following restaurant condition.

- Intoxicating liquor shall not be supplied or sold on the premises otherwise than to persons taking table meals there and for the consumption by such a person as an ancillary to their meal. There will be no vertical drinking.
- Restaurants with outside service - the licensing authority will also consider applications from restaurants that request to serve alcohol to areas adjacent to or immediately outside their premises. In addition to the above conditions for cafes, the licensing authority will require evidence that the applicants have an agreement with the local authority to use the area as defined on a plan provided. The following condition may also apply:
 - The sale and supply of alcohol for consumption off the premises shall be restricted to an area licensed by the Local Authority for use of the public highway as shown on the plan deposited and such area shall be defined by a physical barrier acceptable to the licensing authority.

3.6 Street drinking

3.6.1 The Licensing Authority will have regard to areas highlighted by Sussex Police that are at risk from alcohol related anti-social behaviour. The nature of these areas can be fluid/seasonal and so updated maps and data will be produced regularly to ensure the information is current. These hot spot areas are considered high risk for street drinkers and the Licensing Authority will have regard to prevention of crime and disorder by virtue of street drinking and anti-social behaviour when considering applications in this area.

3.9 Promoters and irresponsible drinks promotions

3.9.1 The Licensing Act 2003 makes no mention or provision for the use of promoters within licensed premises. Many of the late night bars and clubs within the Brighton & Hove Cumulative Impact Zone regularly hire promoters to sell nights at their venues. In recent years with the introduction of promoters within the Brighton night time economy, several issues have arisen. This includes promoters vouching for

underage customers to get them inside licensed premises where they can access alcohol, providing flyers to passers-by who throw them on the floor and irresponsible promotions for their nights. Many premises now have an agreement with their promoter for acceptable promotions and behaviour which includes the signing of a written contract of expectations. This shows premises evidencing their due diligence and ensures that promotion companies know what is expected of them. The contract could include, obligations to pick up self-generated litter, verification of ages of their customers and users of their social media, promoters being over the age of 18 and responsible advertising on social media.

3.9.2 The Licensing Authority expect licensed premises to develop staff policy and training on recognising signs of drunkenness and vulnerability, for example, offering drinking water and tips for refusing customers who appear drunk. And discourage company policies that promote bonuses and sales incentives for selling alcohol. Licensing Authority will expect necessary precautionary processes to restrict drunkenness, e.g. Licensing Guidance states happy hours should not be designed to encourage individuals to drink excessively or rapidly.

4 Prevention of Crime and Disorder

The following details and measures are intended to address the need for the prevention of crime and disorder which may be associated with licensed premises and certificated club premises. Conditions attached to licences and certificates will, as far as possible, reflect local crime reduction strategies.

- 4.1.1 The licensing authority acknowledges that training and good management play a key part in preventing alcohol and drug related crime. The authority expects that all licensees of on-licensed premises attend training programmes which will raise their awareness of the issues relating to drugs and violence in licensed premises, and that suitable training be extended to all bar staff and door supervisors so that drug dealers and users will be deterred from using licensed premises for illegal purposes and that incidents of violence in licensed premises will be reduced. Licensees are also encouraged to attend training programmes to help identify children at risk and issues of basic child protection. It is the duty of the designated premises supervisor (DPS) to train staff on induction concerning conditions on their premises licence.
- 4.1.2 It is expected that the DPS will spend a significant amount of time on the premises. When not on the premises it will be essential that the DPS is contactable, particularly should problems arise with the premises and that staff are authorised by the DPS.
- 4.1.3 The location of violent attacks, anti-social behaviour and hate crime or related incidents may be used to justify closing times.
- 4.1.4 Measures put in place should support the intentions of Operation Marble (police operational order), which aims to prevent incidents of crime and disorder within the night time economy, at weekends. Operation Marble operates with a view to minimising the risk to the public of being a victim of public place violent crime; to reduce incidents of violent crime and public disorder within the city centre; to deal positively with offences and offenders; to secure and preserve evidence which

will assist in the prosecution of offenders and to support the night time economy and the responsibly run businesses within it.

4.2 Sussex Police

4.2.1 Sussex Police have a specific Operation relating to the night time economy called Operation Marble (detailed in 3.4.1) and work closely with partners to ensure a safe and vibrant city centre. There continues to be an increasing demand for resources further into the early hours of the morning with the highest concentration of crimes occurring between 21:00 and 06:00 on a Friday into a Saturday and between 20:00 and 06:00 on a Saturday night into a Sunday. The data set used shows that up to 80% of arrests made in the timeframe 20:00 – 06:00 on these days were affected by alcohol. For full details of these statistics see the Cumulative Impact Assessment at Appendix E.

4.2.2 The dealing and use of drugs remains an issue across the city and Sussex Police welcome proactive policies from licensed premises. A drug safe and seizure recording initiative is in place of which further details can be obtained by contacting Brighton & Hove Police Licensing (brighton.licensing@sussex.pnn.police.uk). This initiative encourages licensed premises with Door Supervisors to search and seize drugs from persons attempting to enter their premises and ensures that once drugs are removed from persons, they can be safely collected and destroyed by Sussex Police.

4.2.3 Dispersal from the city centre during the late evening and early morning remains a policing challenge. Over recent years, there has been a proliferation of off-licences and late night refreshment venues along the city's arterial routes. This has led to incident 'hot spots' where patrons from the night time economy continue to interact, albeit away from any safety measures afforded by on-licences. As such, Sussex Police support the Council's Special Policy in offering guidance to both applicants and the Licensing Committee in relation to off-licences and late night refreshment licences.

4.2.4 Sussex Police have continuing concerns that, despite staff training in age-restricted sales, under age individuals are still being served alcohol both on and off the premises in some of the city's licensed premises. As such, regular intelligence-led 'test-purchase' operations are conducted to highlight premises where sales are taking place and ensure appropriate enforcement action is taken to prevent further sales. The introduction of identification scanning machines at premises throughout the city has proved successful in mitigating some risk, but operators must maintain vigilance regarding the fraudulent use of genuine IDs. Sussex Police continue to work alongside the Business Crime Reduction Partnership to tackle the problem of those who use false or another's identification to enter licensed premises and purchase alcohol.

4.2.5 Sussex Police work closely with venues and other organisations within the city to protect vulnerable people from becoming victims of crime. As well as work to prevent under age sales, vulnerability training is offered to identify persons who may have been made vulnerable through alcohol or drugs. Sussex Police also support initiatives such as (but not limited to) safe spaces, mobile teams of volunteers actively checking people's well-being and the Beach Patrol.

4.2.6 Public Space Protection Orders have proved an effective tool for Sussex Police in targeting enforcement action in problem areas of the city. It 'allows Police Officers and Police Community Support Officers to remove alcohol from any person in a public place if that person is involved in anti-social behaviour (ASB) or the officer believes that by having alcohol in their possession there is an increased risk of ASB. It is an offence to refuse to hand over alcohol when required to do so.' They have been particularly effective in the day time economy where members of the street community are causing ASB issues for members of the public and local businesses, especially during the summer months where there is a large influx of visitors to Brighton & Hove.

4.2.7 Policing the night time economy continues to provide a challenge and in the climate of limited resources and newly emerging problems, Sussex Police support maintaining the council's Special Policy which defines cumulative impact and special stress and will continue to take enforcement action where appropriate if the actions of a Premises Licence Holder, Designated Premises Supervisor, Door Supervisors or Staff have fallen below the high standard expected across the city. Sussex Police also recognise and support businesses which are aware of their social responsibilities and as such, actively contribute towards keeping Brighton & Hove a safe and enjoyable city.

4.3 Care, control and supervision of premises

4.3.1 The Licensing authority supports the Business Crime Reduction Partnership and other approved schemes. Where appropriate, premises licence holders should be members of the BCRP for the deterrence to violent crime that such membership provides. The BCRP NightSafe radio scheme is normally expected as an operational requirement for city centre bars, clubs and pubs and is an example of good practice in achieving the aim of reducing crime and disorder and improving public safety. Well managed pub-watch schemes provide information exchange between the premises licence holders and responsible authorities that reduce and deter violent crime and disorder. The council will support a responsible licensing scheme.

4.3.2 The effective management and supervision of a venue is a key factor in reducing crime and disorder, both within it and outside. The police will consider the applicants, objecting to the application where appropriate. The police may suggest crime prevention measures in relation to, for example, the internal layout of the premises, closed-circuit television, help points, lighting and security staff. The police may ask for conditions which support such measures to be imposed when licensing applications are granted, eg type of licence, capacity, operating hours restrictions.

4.3.3 Following the grant of a licence, the management and supervision of the premises, in so far as it might impact on crime and disorder, will continue to be monitored. Particular attention will be paid to any licensed premises where there is evidence of criminal activity or any association with racist or homophobic crime. The licensing authority will keep itself well briefed on the nature, location and type of premises where alcohol related violence and disorder are occurring so it can take full account of the facts and avoid exacerbating problems as required by the Community Safety Strategy. Where licensed premises are found to cause nuisance or be

associated with disorder or unreasonable disturbance, the review process may be invoked, and powers of revocation or the imposition of conditions may be considered. Conditions may include use of closed-circuit television, licensed door supervisors and earlier closing times. Such action to restrict the operation may be taken for trial periods to allow businesses an opportunity to remedy existing disorder, nuisance or disturbance.

4.3.4 This policy recognises the use of registered Door Supervisors All Door Supervisors will be licensed by the Security Industry Authority. Mobile security units and similar systems are in use by some premises operators as a means of providing security cover at very short notice at premises which may not normally require a permanent security presence. This policy endorses the use of units following such guidance and standards in appropriate circumstances.

4.3.5 The development of codes of practice and general operating standards for security companies is encouraged for local businesses; premises operators are urged to ensure that security services, when engaged, are provided by suitably qualified businesses operating to recognised standards and who should be working towards SIA accreditation.

4.3.6 Enforcement will be achieved by the enforcement policy appended (Appendix B).

5 Public Safety

The following details and measures are intended to address the need for the protection of public safety which may be associated with licensed premises and certificated club premises.

5.1.1 The permitted capacity is a limit on the number of persons who may be on the premises at any time, following a recommendation by the relevant fire and rescue authority under the Regulatory Reform (Fire Safety) Order 2005. For any application for a premises licence or club premises certificate for premises without an existing permitted capacity where the applicant wishes to take advantage of the special provisions set out in section 177 of the 2003 Act, the applicant should conduct their own risk assessment as to the appropriate capacity of the premises. They should send their recommendation to the fire and rescue authority which will consider it and decide what the “permitted capacity” of those premises should be.

5.1.2 Normally in the city centre, pubs and clubs will be expected to operate using polycarbonate or toughened/shatterproof glass.

5.1.3 Conditions may be imposed in accordance with operating schedules to protect public safety including where justified:

- (a) provision of closed-circuit television and panic buttons.
- (b) use of shatterproof drinking vessels; bottles requiring use of toughened glass or plastic should normally be required unless applicants can show exceptional reasons.
- (c) use of door supervisors, licensed by the Security Industry Authority.
- (d) requirement of a minimum of a licensed door supervisor for every 100 customers in nightclubs and large city centre pubs or as indicated by risk assessment.

- (e) occupant capacity conditions will be applied where appropriate.
- (f) the provision of designated and suitably trained first aiders.

5.1.4 Where appropriate, licence holders or their authorised representatives will submit event safety plans and operating manuals, attend Event Planning Teams or Safety Advisory Groups and similar meetings prior to large events and shall be part of Event Liaison Teams during such events. Due regard shall be had to relevant guidance and publications including, for example: HSE approved code of practice for events

6 Prevention of Public Nuisance

The following details and measures are intended to address the need for the prevention of public nuisance which may be associated with licensed premises and certificated club premises:

6.1.1 In determining applications for new and varied licences, regard will be had to the location of premises, the type and construction of the building and the likelihood of nuisance and disturbance to the amenity of nearby residents by reason of noise from within the premises, as a result of people entering or leaving the premises or from individuals or groups of customers gathered outside (eg in order to smoke).

6.1.2 Applications for new licences or for the extension in size of licensed premises should not normally be granted if the premises will use amplified or live music and operate within or abutting premises containing residential accommodation except that occupied by staff of the licensed premises. A condition may be imposed on new licences that entertainment noise shall be inaudible in any residence. Noise emanating from within licensed premises should not normally be audible outside.

6.1.3 Installation of sound limiting equipment and sound insulation may be required to minimise disturbance to the amenity of nearby residents by reason of noise from the licensed premises.

6.1.4 Generally, regulated entertainment in the open air including tents and marquees should have a maximum closure hour of 2300. Earlier hours may be imposed in sensitive open spaces or near residential areas. The Licensing Authority will have regard to Noise Council guidance.

6.1.5 In determining applications for new licences or extensions in hours or terminal hours of licensed premises, regard will be had to late night public transport availability and location of taxi ranks to aid dispersal of customers.

6.1.6 Reasonable controls are available to all premises operators to minimise the impact of noise from customers outside. The council's Environmental Health Department has issued guidance on a number of steps that can be taken in this respect which are endorsed by this policy (see 6.2 below).

6.2 Smoking Advice

6.2.1 Premises licence holders will be expected to:

- Develop a management plan on how to manage smoking on your premises and ensure that all staff are aware of the contents of this plan, and that it is effectively implemented. Noise from people smoking and talking can be intermittent, vary in character and volume and be intrusive. An effective smoking management plan will help prevent neighbours being disturbed.
- Comply with any planning conditions restricting the use of outdoor areas.
- Ensure that any structures used by smokers comply with the design criteria detailed in the Heath Act 2006 and that any structures, awnings, retractable canopies, etc. have the relevant planning permission.
- Ensure any new lighting to outdoor areas must be designed so as not to cause a light nuisance to neighbours and again have the relevant planning permission and building control consent.
- Ensure that the conditions on the premises licence are complied with. There may be conditions restricting the hours of use of gardens and outdoor areas. Having reviewed the contents of the premises licence you may find it necessary to request a variation of your licence.
- Licence tables and chairs on the Public Highway under the provisions of the Highways Act 1980. These licences may have conditions restricting the times that the area can be used.
- Ensure drinks, glasses and bottles are not taken onto the highway unless there is a tables and chairs licence permitting use. A system should be adopted to prevent theft and 'spiking' of drinks and reminding customers not to leave unattended items.
- Discourage smokers remaining in gardens and outdoor areas and determine terminal hours.
- Discourage smokers remaining outside by removing/disabling tables and chairs or prohibiting their use after a certain time. Lights and heaters will also be turned off.
- Introduce a system that after a certain time the number of smokers outside are restricted to a maximum number. Staff will be needed to manage this restriction.
- Employ staff and/or SIA registered door supervisors to manage doors and control customers and smokers entering and leaving the premises. Staff positioned on the doors can help to encourage customers not to cause a noise problem. It may be that staff are required to manage doors after a certain time, particularly during the hours when neighbouring residents are trying to sleep.
- Ensure door supervisors maintain order outside venues and protect customer safety. BCRP supports the use of Night Safe. Radio net and other pager systems and pub watch schemes can be used to provide for rapid police response and alert other venues where customers and staff are endangered.

- Position signs to remind customers that the premises is in an area where people live. It is not always obvious in busy commercial streets with flats above. By changing the design and wording of signs customers do not forget. Signs can be located in and outside the premises and on tables.
- Use CCTV to manage outside areas.

6.2.2 Licensed premises should normally display prominent, legible signs at exits reminding customers to leave in a quiet, peaceful, orderly manner.

8 Integration of Strategies

8.1.1 The licensing authority shall secure the proper integration of this policy with local crime prevention, planning policy, transport, tourism and cultural strategies by:-

- Liaising and consulting with the Sussex Police, Community Safety Forum, Sustainability Commission representatives and following the guidance in community safety and crime and disorder strategy
- Liaising and consulting with Public and Alcohol Programme Board
- Liaising and consulting with the East Sussex Fire & Rescue Service
- Liaising and consulting with the Local Strategic Partnership, Safety Advisory Group (Emergency Planning) and Equalities and Social Justice Consultation Forum
- Liaising and consulting with the Planning authority
- Liaising and consulting with the Highways authority
- Liaising and consulting with local business and business associations. Having regard to any future documents issued relating to the Private Security Industry Act 2001, for example liaison or information sharing protocols
- Liaising and consulting with the Trading Standards Team, for example with regard to test purchasing codes of practice

8.1.2 In line with statutory requirements and the council's Inclusion Policy, the Licensing Authority shall have due regard to the need to eliminate unlawful discrimination, and to promote equality of opportunity and positive relations between persons of diverse backgrounds, for example communities of interest such as: lesbian, gay, bisexual and transgender people; disabled people; racial and ethnic groups; religious and faith groups.

8.1.3 This policy supports the aims of the tourism strategy, recognising the benefits for the tourism economy of creating a safer and more attractive city centre and improving competitiveness with other European cities. The Licensing Committee should receive any reports relevant to the needs of the local tourist economy and the cultural strategy for the area to ensure that it considers these matters.

8.1.4 The Licensing Committee should receive relevant information relating to the employment situation of the area and the need for new investment and employment where appropriate.

8.1.5 Specific conditions may be attached to premises licences to reflect local crime prevention strategies. Such conditions may include the use of closed circuit television cameras, use of the NightSafe radio system or accredited scheme, the

provision and use of shatterproof drinking receptacles, drugs and weapons search policy, the use of registered door supervisors, specialised lighting requirements, hours of opening. Certificates issued to club premises shall reflect local crime prevention strategies and may include any or all of the requirements listed above.

8.1.6 The licensing authority will have regard to the need to disperse people quickly and safely from the city centre to avoid concentrations which may produce disorder and disturbance.

8.3 Enforcement

8.3.1 The Enforcement of licensing law and inspection of licensed premises is detailed in the Protocol between Sussex Police, the East Sussex Fire & Rescue Service and Brighton & Hove City Council. This protocol reflects the need for more efficient deployment of Police and Local Authority staff commonly engaged in licensing enforcement and can be found at Appendix D (Lead Agency Status) of the Statement of Licensing Policy. In addition, the Licensing Authority will have regard to its published Licensing Enforcement Policy in making enforcement decisions in accordance with Brighton & Hove City Council's Statement of Licensing Policy (Appendix B). In order to better target enforcement resources, inspections will be undertaken outside of normal office hours and the sharing of information between all enforcement agencies will be encouraged through joint meetings or similar arrangements.

8.3.2 Attention is drawn to the targeting of agreed problem and high risk premises requiring greater attention as identified in the protocol. A number of other council and government policies, strategies and guidance documents must be taken into account to complement the policy, including:

- Community Safety & Crime Reduction Strategy
- Drugs and alcohol strategies – local alcohol harm reduction strategy
- Objectives of the Security Industry Authority
- The Anti-Social Behaviour Act 2003/ASBPC Act 2014
- The Health Act 2006
- The Violent Crime Reduction Act 2006
- Policing and Crime Act 2009

10 Live Music, Dancing & Theatre

10.1.1 This policy recognises the need to encourage live music, dancing and theatre for the wider cultural benefits of the community generally. In addressing such issues the potential for limited disturbance in neighbourhoods will always be carefully balanced with these wider benefits, particularly for children. The impact of licensing on regulated entertainment, particularly live music and dancing, will be monitored. Where indications are that such events are being deterred by licensing requirements, the policy will be revisited with a view to investigating how such situations might be reversed.

10.1.2 The Licensing Committee represents the general interests of a community in determining what conditions should be attached to licences and certificates as a matter of necessity for the promotion of the licensing objectives. All members of the

Licensing Committee will be trained on Licensing Act 2003 and S182 Guidance. The Licensing authority is aware of the need to avoid measures which deter live music, dancing and theatre - such as imposing indirect costs out of proportion to the income of the licence holder and to the risks presented. Only appropriate, proportionate and reasonable licensing conditions should impose any restrictions on such events.

10.1.3 The licensing committee will support the cultural zones, outdoor eating areas, food led operations, community pubs, live entertainment and protect living conditions in mixed use areas.

APPENDIX A – Licensing Best Practice Measures

Best Practice Measures to be included for consideration, in particular in SSA: Matters that would normally be expected in operating schedules:

- the adoption of a policy (e.g. Challenge 25) with acceptable proof of ID as per existing Statement of Licensing Policy
- all off sales to be made in sealed containers for consumption away from the premises
- a smoking policy which includes an assessment of noise and litter created by premises users
- the use of plastic or polycarbonate drinking vessels and containers, especially in outside areas or after specified hours
- a policy in relation to searching customers and for drugs, weapons, seized or lost and found property
- use of a refusals book for registering attempts to buy alcohol by under-age persons or refusals to those intoxicated
- the installation of a digital CCTV system by liaison with, and to a standard approved by, Sussex Police
- policies for dispersal of customers which may include signage regarding taxi services' telephone numbers and advice to respect neighbours and minimize noise

Items to which positive consideration would be given:

- membership of Business Crime Reduction Partnership, Pubwatch, Neighbourhood Watch or similar schemes
- use of 'Night Safe' radio system or similar accredited scheme
- regular training and reminders for staff in respect of licensing legislation, policies and procedures; records of which should be properly recorded and available for inspection
- records of regular checks of all parts of the premises in relation to drug use
- systems in place to ensure details of barred clients are exchanged with other operators
- giving an agreed minimum notice of special events (screening of major sports events, birthday parties, adult entertainment, etc.) to relevant authorities and use of appropriate additional measures at such events

Recommend best practice for both on and off premises

- Staff must be aware of the risk of the problem of proxy sales and offer assistance to responsible authorities to deter offences
- Signage on premises should set out legal duties
- Voluntary restriction of high strength alcohol – operating schedules may be used to limit high ABV beers and ciders
- Staff training – in addition to personal licence holders training, staff must be adequately trained for duties
- Challenge 25 would be the norm, particularly in the off licence trade
- Signage – proxy sale – deterrence

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 5.1 The Licensing Act 2003 provides for fees to be payable to the licensing authority in respect of the discharge of their functions. The fee levels are set centrally at a level to allow licensing authorities to fully recover the costs of administration, inspection and enforcement of the regime.

Finance Officer Consulted Michael Bentley

Date: 01/07/24

Legal Implications:

- 5.2 The licensing authority must act to promote the four licensing objectives which are:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

The licensing authority must have regard to its statement of licensing policy and the guidance issued by the Secretary of State in carrying out its functions.

Lawyer Consulted: Rebecca Sidell

Date: 19/06/24

Equalities Implications:

- 5.3 Diversity is valued and strong, safe communities are vital to future prosperity. Licensing policy aims to protect children from harm including sale and supply of alcohol to children.

Sustainability Implications:

- 5.4 Licensing policy aims to prevent public nuisance and develop culture of live music, dancing and theatre.

SUPPORTING DOCUMENTATION

Appendices:

1. Appendix A – Part M of the Application
2. Appendix B – Proposed Plan of Premises
3. Appendix C – Part A of Premises Licence
4. Appendix D – Representations and Supplementary Documentation
5. Appendix E – Map of area

Documents in Members' Rooms

Brighton & Hove City Council, Licensing Act 2003: Statement of Licensing Policy 2021.

Home Office, Revised Guidance issued under section 182 of the Licensing Act 2003, December 2023.

Public Health Framework for Assessing Alcohol Licensing – January 2022.

Background Documents

Brighton & Hove City Council, Licensing Act 2003: Statement of Licensing Policy 2021.

Appendix A

M Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)

See below

b) The prevention of crime and disorder

1. Authorised staff employed by Sussex Police shall have free access to all parts of the licensed premises at all times licensable activity is taking place or when open to members of the public, for the purpose of inspection to ensure compliance with the terms and conditions of the premises licence and to ensure the promotion of the licensing objectives.

4. The provision of alcohol at the premises shall be ancillary to the premises operating as a grassroots music venue.

5. The premises and its management/DPS will be a member of the Music Venue Trust (or other similar body should the MVT cease to exist).

6. The premises and its management/DPS will be a member of the local Brighton Music Venue Alliance and will attend (or send a representative) all 'roundtable' / quarterly meetings organised by them for members.

7. The performance of live music will only take place in the upstairs area (first floor) of the premises.

8. The upstairs will be closed to members of the public 30 minutes after the end of any live performance on Sunday – Thursday and 60 minutes after the end of any live performance on Friday – Saturday.

9. The premises will employ one (1) SIA registered door supervisor from 22:00hrs until close on a Friday and Saturday night.

10. The premises / management will contract the back-up services of an approved Mobile Support Unit (MSU) 24 hours a day, with a minimum of 2 SIA registered Door Supervisors operating from it. A copy of the MSU contract will be retained at the premises and made available for immediate inspection

upon request by Sussex Police or Council Officials. The MSU will be accredited by the Brighton Business Crime Reduction Partnership (BCRP) or other similar organisation approved by Sussex Police should the BCRP not be in existence.

11. A documented risk assessment must be produced by the premises which identifies the activities undertaken at the premises and the controls necessary to promote the licensing objectives. It will include a written assessment demonstrating what considerations have been made for both normal day to day activities and any special events or functions which may arise during the year. This document shall be immediately available for inspection by the Police and the Licensing Authority, upon request and reviewed every 12 months. The written risk assessment will include:

a) Any other times when SIA trained and licenced door supervisors shall be employed e.g. on occasions when a requirement is identified by the licence holders written risk assessment or requested by Sussex Police (in writing at least 48 hours in advance).

b) What considerations have been made by the licence holder regarding any additional special events e.g. music festivals, public holidays, seasonal variations and other events which may arise in the city during the year e.g. Pride.

c) The use of glassware versus shatterproof or polycarbonate drinking vessels and the supply of glass bottles to customers.

12. The premises licence holder and management will have in place an operations manual detailing policies and training, a copy of which will be kept on the premises and available at all times for inspection by authorised officers of the Police and the Local Authority. The operations manual acknowledges the good practice and both legal and social responsibilities of the licence holder and will document the management structure as well as who the DPS has authorised to make sales of alcohol within the premises.

13. Subject to GDPR guidance and legislation:

(a) Digital CCTV and appropriate recording equipment to be installed in accordance with Home Office Guidelines relating to UK Police Requirements for Digital CCTV System (PSDB Publication Number 09/05), operated and maintained throughout the premises internally and externally to cover all public areas, including the entrance to the premises. The system shall be on and recording at all times the premises licence is in operation.

(b) The CCTV cameras and recording equipment must be of sufficient quality to work in all lighting levels inside the premises at all times.

(c) CCTV footage will be stored for a minimum of 31 days.

(d) The management will give full and immediate cooperation and technical assistance to the Police in the event that CCTV footage is required for the prevention and detection of suspected or alleged crime.

(e) The CCTV images will record and display dates and times, and these times will be checked regularly to ensure their accuracy.

(f) The management of the premises will ensure that key staff are fully trained in the operation of the CCTV, and will be able to download selected footage onto a disk (or other electronic portable device acceptable to Sussex Police e.g. USB) or provide footage via an online link as initiated by Police, without difficulty, delay or charge.

(g) Any breakdown or system failure will be notified to the police immediately and remedied as soon as practicable. This can be via email -

brighton.licensing@sussex.police.uk. Repair records /invoices shall be kept on site for at least 12 months and be readily available to be viewed by all authorised person upon request.

(h) In the event of the CCTV system hard drive being seized as evidence as part of a criminal investigation by Sussex Police or for any other reason, the premises will be expected to install a replacement hard drive or a temporary replacement drive as soon as practicable.

14. The premises will become a member of the Business Crime Reduction Partnership (BCRP) or similar scheme approved by the Licensing Authority. The scheme must operate, subject to local coverage, radios and additionally an exclusion/banning scheme of named individuals within both the day and night time economy.

15. The management and premises will have an absolute zero tolerance policy towards drugs and drug misuse. Any illegal drugs seized or found will be documented and stored in a lockable 'drugs box'. Management will contact police once a month to inform them of any drug seizures and request the drugs are collected. This contact will take place even if there have been no seizures that month.

16. Individuals found to have drugs in their possession will be banned from the premises.

17. Regular checks of all toilets will take place on every day that the premises remains open for business. These checks will be documented and records made available on request to Sussex Police and authorised officers of the local authority.

c) Public safety

18. No glass/bottles will be permitted on the front outside seating areas at any time.

19. No drinks will be allowed outside the premises after 23:00 hours.

20. An incident log shall be kept at the premises and must be completed within 24 hours of the incident. It will record the following:

- a. all crimes reported to the venue
- b. all ejections of patrons
- c. any complaints received concerning crime and disorder
- d. any incidents of disorder
- e. all seizures of drugs or offensive weapons

f. any faults in the CCTV system, searching equipment or scanning equipment g. any refusal of the sale of alcohol including, date, time, reason e.g. underage and name of staff member
h. any visit by a relevant authority or emergency service.

21. The incident log will:

- a) be inspected and signed off by the DPS (or a person with delegated authority) at intervals of no more than four (4) weeks.
- b) be kept on the premises and be available for inspection at all times the premises are open by authorised officers of the Licensing Authority or the police. An incident will be defined as being one which involves an allegation of a criminal offence or as listed in the above condition.
- c) be used to give feedback to staff to ensure that the log is used on each occasion that a refusal, ejection or incident occurs at the premises and to identify any patterns or trends.
- d) be kept for a minimum of twenty-four (24) months.

22. The external seating area will be defined and cordoned off by a physical barrier e.g. planters, to be in use all the time the premises is open. This will provide a barrier, restrict access from the pavement directly into that area and ensure there is only one entrance to the outside area.

23. Customers will not be permitted to take drinks beyond the delineated external seating area onto the pavement and road.

24. The external seating area must be checked and tables cleared once customers have finished. The area must be regularly monitored, at least every 30 minutes during licensable hours and all furniture is to be cleared at close of business.

d) The prevention of public nuisance

25. Windows and doors to be kept shut during the performance of live music.

26. Staff must ensure that customers leaving the premises leave in a quiet and orderly manner.

27. Signs to be put up asking customers to respect local residents when leaving. 28. Outdoor lights to be maintained in good working order.

29. A written sound management plan will be adhered to at all times live music is being performed at the premises. A copy of this plan is to be maintained/kept at the premises and will be reviewed every 12 months for suitability. The sound management plan shall be made available to Sussex Police, officers of the local authority and officers from the Trading Standards team upon request.

e) The protection of children from harm

30. Children under the age of eighteen will only be permitted on the premises before 23:00 when accompanied by an adult e.g. someone over eighteen years of age.

31. No children under the age of eighteen will be permitted to remain on the premises after 23:00.

32. The premises will operate a "Challenge 25" policy whereby any person attempting to buy alcohol who appears to be under 25 will be asked for photographic ID to prove their age. The recommended forms of ID that will be accepted are passports, official Photographic Identity Cards issued by EU states bearing a hologram or ultraviolet feature, driving licences with a photograph, photographic military ID or proof of age cards bearing the 'PASS' mark hologram. The list of recommended forms of ID may be amended or revised with the prior written agreement of Sussex Police, the Licensing Authority and Trading Standards without the need to amend the licence or conditions attaching to it.

33. Signage advertising the "Challenge 25" policy will be displayed in prominent locations in the premises.

34. (a) The Premises Licence Holder shall ensure that all staff members engaged or to be engaged, in selling alcohol at the premises shall receive the following induction training. This training will take place prior to the selling of such products:

- The lawful selling of age restricted products
- Refusing the sale of alcohol to a person who is drunk
- Refusing the sale of alcohol for consumption off the premises to people who may have alcohol dependency issues

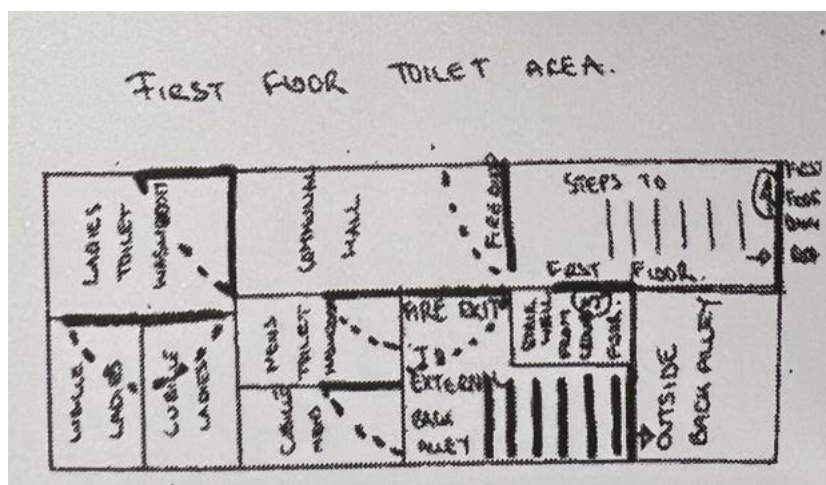
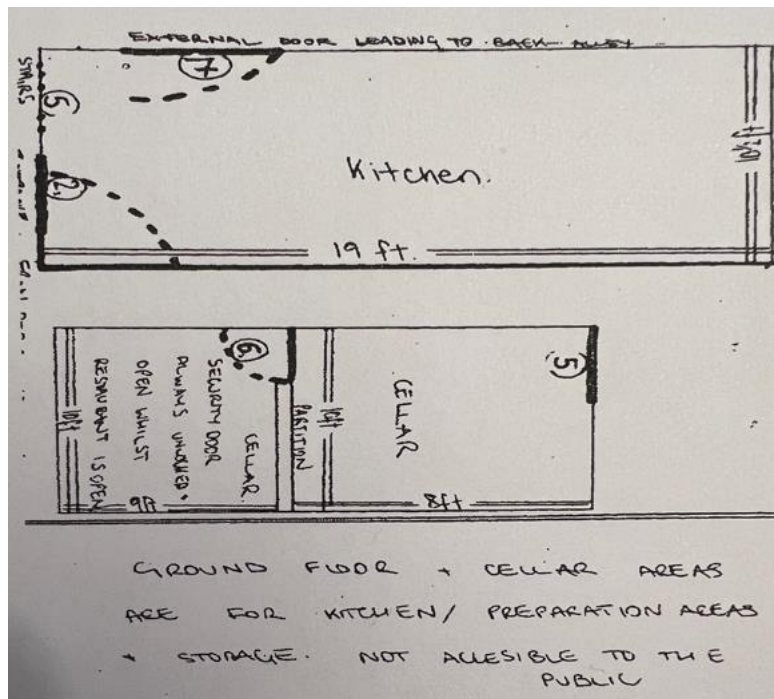
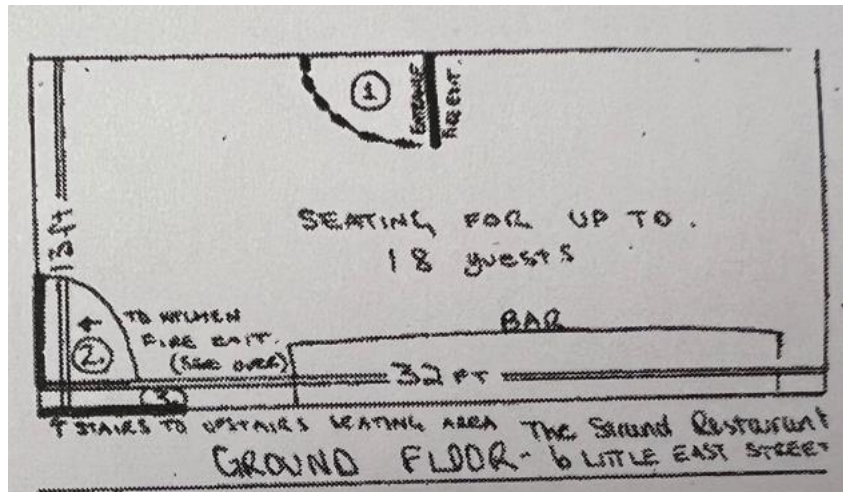
(b) Further verbal reinforcement/refreshers training covering the above will be carried out thereafter at intervals not to exceed 8 weeks, with the date and time of the verbal

reinforcement/refresher training documented.

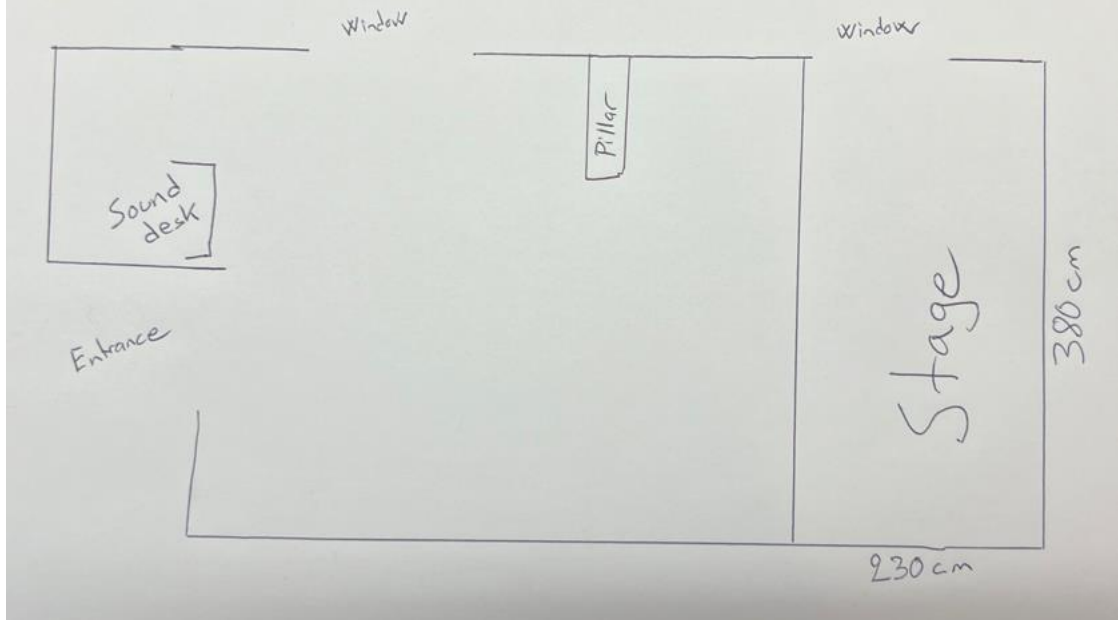
(c) All such training undertaken by staff members shall be fully documented and recorded. All training records shall be made available to Sussex Police, officers of the local authority and officers from the Trading Standards team upon request.

35. All staff are to receive training in line with the operations manual detailed in Condition 12 above as well as the Sound Management Plan.

Appendix B



The Pipeline
First floor 6 Little East Street





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Schedule 12 Appendix C - Part A

Regulation 33, 34

Premises Licence Brighton and Hove City Council

Premises Licence Number

1445/3/2020/03227/LAPRMV

Part 1 – Premises Details

Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post Code

The Pipeline
6 Little East Street
Brighton
BN11HT

Telephone number 01273 279908

Licensable activities authorised by the licence

Performance of a Play	Exhibition of a Film
Performance of Live Music	Performance of Recorded Music
Late Night Refreshment	Sale by Retail of Alcohol

Times the licence authorises the carrying out of licensable activities

Performance of a Play - Indoors

Monday – Thursday: 18:00 - 00:00

Friday – Sunday: 12:00 - 00:00

Exhibition of a Film - Indoors

Monday – Thursday: 18:00 - 23:30

Friday – Sunday: 12:00 - 23:30

Performance of Live Music - Indoors

Live music is not a regular weekly event. Music will be mainly acoustic and if amplified the volume will be kept at an environmentally friendly level. Windows are kept shut during the performance and when finished a member of staff will guide the audience in a quiet and orderly



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manner.

Monday – Thursday: 18:00 – 23:00

Friday – Sunday: 14:00 – 00:00

PLUS: On New Year's Eve 14:00 – 00:00

Performance of Recorded Music - Indoors

Sunday- Thursday: 11:00 – 00:00

Friday - Saturday 11:00 – 02:00

PLUS: On Sunday nights before bank holiday Mondays from 11:00 – 02:00

On "Juhannus" – traditional Scandinavian mid summer party (on the Saturday nearest summer solstice) – until 11 a.m. the following morning.

On the Saturday nearest 06 December until 5 a.m. the following morning.

On New Year's Eve until 5 a.m. the following morning.

Late Night Refreshment - Indoors

Sunday- Thursday: 23:00 – 00:00

Friday – Saturday: 23:00 – 02:00

PLUS: On Sunday nights before bank holiday Mondays from 11:00 – 02:00

On "Juhannus" – traditional Scandinavian mid summer party (on the Saturday nearest summer solstice) – until 5 a.m.

On New Year's Eve until 5 a.m.

Sale by Retail of Alcohol

Sunday – Thursday 11:00 – 00:00

Friday - Saturday 11:00 – 01:00

PLUS: On Sunday nights before bank holiday Mondays from 11:00 – 01:00

On "Juhannus" – traditional Scandinavian mid summer party (on the Saturday nearest summer solstice) – until 11 a.m. the following morning

On the Saturday nearest 06 December until 5 a.m. the following morning.

On New Year's Eve until 5 a.m.

The opening hours of the premises

Sunday – Thursday 11:00 – 00:00

Friday – Saturday 11:00 – 02:00

PLUS: On "Juhannus" – traditional Scandinavian mid summer party (on the Saturday nearest summer solstice) – until 11a.m. the following morning

On the Saturday nearest 06 December until 5 a.m. the following morning.

On New Year's Eve until 5 a.m.



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Where the licence authorises supplies of alcohol whether these are on and / or off supplies
Alcohol is supplied for consumption both Off and On the Premises.

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

The Pipeline Entertainments Ltd
Palladium House
1-4 Argyll Street
London
W1F 7LD

Registered number of holder, for example company number, charity number (where applicable)

Registered Business Number: 6764994

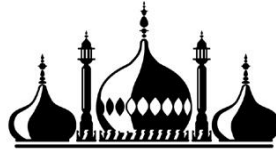
Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol

Thomas Ismail Ekren Evrenos

REDACTED

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

REDACTED

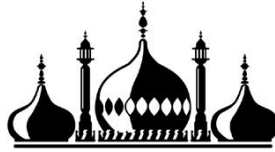


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Annex 1 – Mandatory conditions

S 19; mandatory conditions where licence authorises supply of alcohol

1. No supply of alcohol may be made under the premises licence
 - a) at a time when there is no designated premises supervisor in respect of the premises, or
 - b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence
3. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises–
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to–
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
 - (e) dispensing directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.



Brighton & Hove City Council

5. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
 - (a) a holographic mark, or
 - (b) an ultraviolet feature.
6. The responsible person must ensure that—
 - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

Minimum Drinks Pricing

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
2. For the purposes of the condition set out in paragraph 1—
 - (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
 - (b) “permitted price” is the price found by applying the formula—
$$P=D+(D \times V)$$
where—
 - (i) P is the permitted price,
 - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
 - (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence—



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- (i) the holder of the premises licence,
 - (ii) the designated premises supervisor (if any) in respect of such a licence,
or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
 - (d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
 - (e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.
3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.
(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

S 21: mandatory condition: door supervision

1. Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, each such individual must:
- a) Be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001: or
 - b) Be entitled to carry out that activity by virtue of section 4 of the Act.
2. But nothing in subsection (1) requires such a condition to be imposed:
- a) In respect of premises within paragraph 8 (3)(a) of Schedule 2 to the Private Security Industry act 2001 (c12) (premises with premises licences authorising plays or films): or
 - b) In respect of premises in relation to:
 - i. Any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence) or



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- II. any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under that Act).

3. For the purposes of this section:

- a) "Security activity" means an activity to which paragraph 2(1)(a) of that Schedule applies, and which is licensable conduct for purposes of that Act, (see Section 3(2) of that Act) and
- b) Paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule.

Embedded Conditions

All previous embedded conditions removed

Justices licence conditions

1. Suitable beverages other than intoxicating liquor (including drinking water) shall be equally available for consumption with or otherwise as an ancillary to meals served in the premises.

Annex 2 – Conditions consistent with the Operating Schedule

For the Prevention of Crime and Disorder: Refer to Annex 3

For Public Safety:

1. Signage will be clearly positioned on the premises informing customers that they will be refused service if they breach the key policies of the premises relating to the prevention of and/or disorder caused by drug use, intoxication, underage and disorderly behaviour.

For the Prevention of Public Nuisance:

2. Live music performances will end at 24:00 hrs on Friday, Saturday and Sunday and at 23:00 hrs Monday to Thursday.
3. Outdoor lights to be maintained in good working order.

For the Protection of Children from Harm:

4. The premises shall at all times maintain and operate an age-restricted sales refusal book which shall be reviewed by the Designated Premises Supervisor at intervals of no



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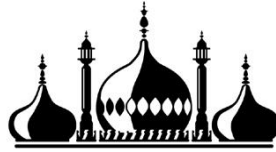
less than 4 weeks and feedback given to staff as relevant. This refusals book shall be available upon request to police staff, Local Authority staff and Trading standards.

Annex 3 – Conditions attached after a hearing by the licensing authority- Review 03.03.15

1. The premises will trade as a food-led venue with full main courses available until 23:00 Sunday – Thursday, and 00:00 (midnight) on Fridays and Saturdays, sandwiches and light snacks will be available thereafter until close.
2. Waiter and waitress service shall be available at all times and the premises shall have available seating to accommodate at least 80% of the premises total client capacity. (This is to prevent the premises from operating as a vertical drinking establishment)
3. The areas given to the use of chairs and tables may be cleared for the purpose of stand up / pre booked / private functions on no more than 24 occasions per year, subject to each occasion being notified in writing to the police at least 7 days in advance.

For the Prevention of Crime and Disorder

4. The premises will employ one (1) SIA registered door supervisor from 22:00 hrs till close on Friday and Saturday. Once COVID-19 Government Social Distancing guidelines are removed, this condition will revert back to: The premises will employ SIA registered door supervisors from 21:30 hrs till close on Friday and Saturday evenings at a ratio of 1:100 – with a minimum of two.
5. SIA Licenced Door Supervisors shall be employed at the premises on any other occasions when a requirement is identified by the licence holder's written risk assessment or requested by Sussex Police in writing at least 7 days in advance. Further, as part of this written risk assessment the premises licence holder will consult with Sussex Police and take into consideration their advice regarding the following: public holidays, when seasonal variations are taking place and other city wide events e.g: Pride. This written risk assessment will be reviewed every 12 months or sooner should the need arise and a copy shall be retained at the premises.
6. At all other times, the premises will employ a mobile support unit with a minimum of 2 SIA registered Door Supervisors operating from it.
7. Digital CCTV and appropriate recording equipment to be installed in accordance with Home Office Guidelines relating to UK Police Requirements for Digital CCTV System (PSDB Publication Number 09/05), operated and maintained throughout the premises internally and externally to cover all public areas, including the entrance to the premises. The system shall be on and recording at all times the premises licence is in operation.

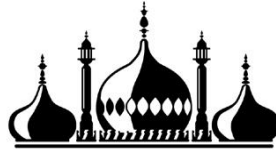


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8. The CCTV cameras and recording equipment must be of sufficient quality to work in all lighting levels inside the premises at all times.
9. CCTV footage will be stored for a minimum of 28 days.
10. The management will give full and immediate cooperation and technical assistance to the Police in the event that CCTV footage is required for the prevention and detection of suspected or alleged crime.
11. The CCTV images will record and display dates and times, and these times will be checked regularly to ensure their accuracy.
12. Subject to Data Protection guidance and legislation, the management of the premises will ensure that key staff are fully trained in the operation of the CCTV, and will be able to download selected footage onto a disk for the police without difficulty or delay and without charge to Sussex Police.
13. Any breakdown or system failure will be notified to the police immediately & remedied as soon as practicable.
14. The premises will be a member of the Brighton and Hove Business Crime Reduction Partnership or similar police approved scheme while one is in existence.
15. The premises licence holder and management will have in place an operations manual detailing policies and training, details of which have been inspected by Sussex Police and approved by them and the Licensing Authority and any major change intended to this manual shall be so approved before being taken into use. The operations manual acknowledges the good practice and both legal and social responsibilities of the licence holder and will document the management structure and all training carried out.

For Public Safety

16. No glass/bottles will be permitted on the front outside seating areas at any time.
17. No drinks will be allowed outside the premises after 23:00 hours.
18. An incident log will be maintained by the premises showing a detailed note of incidents that occur in the premises. The incident log will be inspected and signed off by the DPS (or a person with delegated authority) at least once a week. The log book should be kept on the



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premises and be available for inspection at all times the premises are open by authorised officers of the Licensing Authority or the police. An incident will be defined as being one which involves an allegation of a criminal offence. Any refusals made at any of the bars/point of alcohol service e.g. for intoxication, will also be recorded in writing. Feedback regarding this will be given to staff as relevant.

19. The external seating area will be defined and cordoned off by a physical barrier e.g. planters, to be in use all the time the premises is open. This will provide a barrier, restrict access from the pavement directly into that area and ensure there is only one entrance to the outside area.
20. Customers will not be permitted to take drinks beyond the delineated external seating area onto the pavement and road.
21. The external seating area must be checked and tables cleared once customers have finished. The area must be regularly monitored, at least every 30 minutes during licensable hours and all furniture is to be cleared at close of business.

For the Prevention of Public Nuisance

22. Windows and doors to be kept shut during the performance of live music.
23. Staff must ensure that customers leaving the premises leave in a quiet and orderly manner.
24. Signs to be put up asking customers to respect local residents when leaving.
25. Outdoor lights to be maintained in good working order.

For the Protection of Children from Harm

26. The premises will operate a "Challenge 25" policy whereby any person attempting to buy alcohol who appears to be under 25 will be asked for photographic ID to prove their age. The recommended forms of ID that will be accepted are passports, driving licences with a photograph, photographic military ID or proof of age cards bearing the 'PASS' mark hologram. The list of approved forms of ID may be amended or revised with the prior written agreement of Sussex Police and the Licensing Authority without the need to amend the licence or conditions attaching to it.



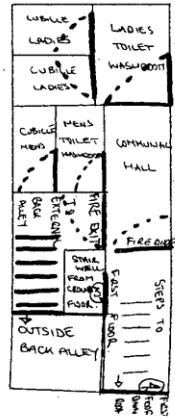
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27. Signage advertising the “Challenge 25” policy will be displayed in prominent locations in the premises.
28. All staff members engaged, or to be engaged, in selling alcohol on the premises shall receive the following training in age-restricted sales and drunkenness:
- The premises licence holder will ensure that all staff members engaged in selling alcohol on the premises shall receive induction training as to the lawful selling of age-restricted products and not serving a drunk prior to the selling of such products, and verbal reinforcement / refresher training thereafter at intervals not to exceed 8 weeks, with the date and time of the verbal reinforcement/refresher training documented.
 - All age-restricted sales and preventing serving an intoxicated person training undertaken by staff members shall be fully documented and recorded. All training records shall be made available to Sussex Police, Officers of the Local Authority and Brighton and Hove Weights and Measures Officers upon request.
29. All staff are to receive training in line with the operations manual detailed in Condition 15 above.

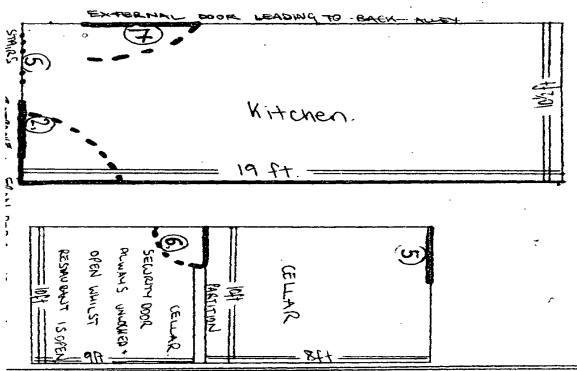
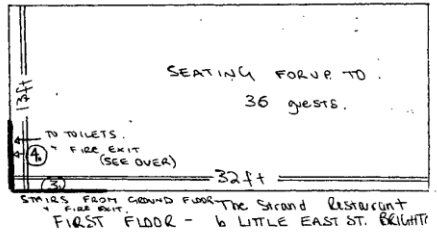
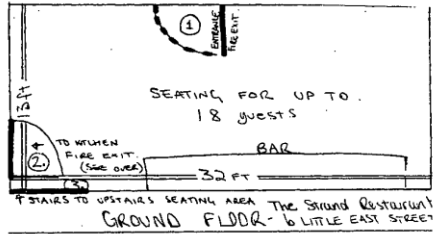


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Annex 4 - Plans



FIRST FLOOR TOILET AREA.



GROUND FLOOR + CELLAR AREAS
ARE FOR KITCHEN/ PREPARATION AREAS
+ STORAGE. NOT ACCESSIBLE TO THE
PUBLIC

Appendix D

REP A – Licensing Team

Corinne Hardcastle
Licensing Authority
Brighton & Hove City Council
Bartholomew House
Bartholomew Square
Brighton
BN1 1JP

Date: 5 June 2024
Our Ref: 2024/01054/EPLIC/EH
Phone: 01273 292494
e-mail: REDACTED

Dear Corinne Hardcastle

Licensing Act 2003

**Representation to the application for a Variation of a Premises Licence -
2024/01573/LAPREV
Pipeline, 6 Little East Street, Brighton BN1 1HT**

I write to make a representation on behalf of the Council's Licensing Team, in their capacity as a responsible authority, in relation to the above application for a variation of a Premises Licence submitted by The Pipeline Entertainments Ltd.

This representation is made as the Licensing Team have concerns that the application could have a negative impact on the licensing objectives of Prevention of Crime and Disorder and the Prevention of Public Nuisance, and that this application falls within our Cumulative Impact Zone (CIZ) and is contrary to our Statement of Licensing Policy (SoLP).

As mentioned above, this premises sits within the CIZ, which, as stated in our SoLP on pages 12-15, is deemed an area of special concern in terms of the levels of crime and disorder and nuisance experienced within it. 3.1.6 The special policy will only be overridden in exceptional circumstances. The effect of this special policy is that applications for new premises licences or variations which are likely to add to the existing Cumulative Impact, will be refused following relevant representations. This presumption can be rebutted by the applicant if they can show that their application will have no negative Cumulative Impact.

The Council's SoLP includes a Matrix approach for licensing decisions with provisions for a terminal hour for all classes of licensed premises in a particular area. The Matrix Model recognises the diverse operation and different risks presented by different classes of licensed premises. The SoLP provides a vision of what the Licensing Authority would like to see within its area and gives an indication of likelihood of success or otherwise to investors and local businesses making applications. Each application is still considered on its individual merit and there is discretion to depart from the Matrix approach policy in exceptional circumstances.

The Licensing Authority will always consider the circumstances of each case and whether there are exceptional circumstances to justify departing from its SPCI in the light of the individual circumstances of the case.

A live music venue (where alcohol is not the primary activity) may be considered exceptional circumstances. However, the fact that a premises is exceptionally well managed and there are no residential premises nearby, will not be considered exceptional.

The current licence is for a food led venue, with conditions attached reflecting this.

On Friday, 16 February 2024, I carried out a licensing inspection to the premises accompanied by Police Licensing. Following this inspection, on 21 February 2024, I emailed the premises licence holder advising of the breaches of the current premises licence found at the time of this inspection. A copy of this email is attached as Appendix A.

On 19 February 2024, a Minor Variation application was received applying to amend the current premises licence.

On receipt of this application a meeting was arranged at Brighton Police Station. During this meeting discussions were had regarding the breaches of the existing licence and that an application to remove the conditions would not be supported. Following this meeting, the applicant withdrew the application.

Further meetings were held to pre-consult about changing the premises licence. Although, these discussions were very productive, the applicant was unable to agree to any compromise in reducing the terminal hour for the sale of alcohol.

Although the Licensing Authority fully support live music venues, we believe that in relation to this premises licence, to remove all existing conditions relating to being food led, and the late terminal hour for alcohol sales, the venue fall under the category as 'pub', which is not supported in the CIZ area.

The Licensing Team therefore makes this representation to uphold the Council's Statement of Licensing Policy and we wish to bring the application to the attention of the panel so that they can consider the application in its entirety and decide whether it constitutes exceptional circumstances to depart from the policy.

Yours sincerely

REDACTED

Donna Lynsdale
Licensing Officer
Licensing Team

Appendix A – Copy of email dated 21 February 2024 detailing breaches of premises licence

From: Donna Lynsdale

Sent: Wednesday, February 21, 2024 2:46 PM

To: REDACTED

Cc: Brighton.Licensing@sussex.police.uk

Subject: The Pipeline, 6 Little East Street, Brighton BN1 1HT - 2024/00374/LICPRM/EH

Importance: High

Dear Thomas Evrenos

Licensing Act 2003 – Breach of Conditions

The Pipeline, 6 Little East Street, Brighton BN1 1HT

Premises Licence Number: 1445/3/2020/03227/LAPRMV

I am writing to you in your capacity as the Premises Licence Holder (PLH) and Designated Premises Supervisor (DPS) for the above premises.

On Friday, 16 February 2024 at 18:04, accompanied by my colleagues PC Andre Bernascone and Mark Thorogood from Police Licensing, we revisited your premises and carried out a full licensing inspection.

Below are our findings and details of breaches of your premises licence conditions:

Annex 1 - Mandatory conditions

All licensed premises are issued with a premises licence. This consists of Part A and Part B and sets out all the licensable activities that may take place at these premises.

Part B – the copy displayed was not the current premises licence. The latest issue should have the premises licence reference: 1445/3/2020/03227/LAPRMV.

The holder of the licence must ensure that Part B of the licence, or a certified copy of it, is prominently displayed at the premises. Part A of the licence (with conditions) must be available on request by licensing officers from the council or Sussex Police.

If you do not have a copy of the current premises licence, you can request a replacement by emailing: ehl.licensing@brighton-hove.gov.uk . There is a fee payable of £10.50.

Annex 2 – Conditions consistent with the Operating Schedule

For the Prevention of Crime and Disorder: Refer to Annex 3

For Public Safety:

1. Signage will be clearly positioned on the premises informing customers that they will be refused service if they breach the key policies of the premises relating to the prevention of and/or disorder caused by drug use, intoxication, underage and disorderly behaviour.

No signage was on display.

For the Protection of Children from Harm:

4. The premises shall at all times maintain and operate an age-restricted sales refusal book which shall be reviewed by the Designated Premises Supervisor at intervals of no less than 4 weeks and feedback given to staff as relevant. This refusals book shall be available upon request to police staff, Local Authority staff and Trading standards.

Staff were unable to provide us with a copy of the refusal book. And wasn't aware there was one.

Annex 3 – Conditions attached after a hearing by the licensing authority- Review 03.03.15

1. The premises will trade as a food-led venue with full main courses available until 23:00 Sunday – Thursday, and 00:00 (midnight) on Fridays and Saturdays, sandwiches and light snacks will be available thereafter until close.

We were informed that food was only available until 21:30.

2. Waiter and waitress service shall be available at all times and the premises shall have available seating to accommodate at least 80% of the premises total client capacity. (This is to prevent the premises from operating as a vertical drinking establishment)

We were advised that there was no table service.

3. The areas given to the use of chairs and tables may be cleared for the purpose of stand up / pre booked / private functions on no more than 24 occasions per year, subject to each occasion being notified in writing to the police at least 7 days in advance.

Police Licensing advised that they had not informed of any events.

For the Prevention of Crime and Disorder

5. SIA Licenced Door Supervisors shall be employed at the premises on any other occasions when a requirement is identified by the licence holder's written risk assessment or requested by Sussex Police in writing at least 7 days in advance. Further, as part of this written risk assessment the premises licence holder will consult with Sussex Police and take into consideration their advice regarding the following: public holidays, when seasonal variations are taking place and other city wide events e.g: Pride. This written risk assessment will be reviewed every 12 months or sooner should the need arise and a copy shall be retained at the premises.

Staff were unable to provide us a copy of the Risk Assessment.

6. At all other times, the premises will employ a mobile support unit with a minimum of 2 SIA registered Door Supervisors operating from it.

Staff were unable to confirm whether to confirm if there was a mobile support agreement.

7. Digital CCTV and appropriate recording equipment to be installed in accordance with Home Office Guidelines relating to UK Police Requirements for Digital CCTV System (PSDB Publication Number 09/05), operated and maintained throughout the premises

internally and externally to cover all public areas, including the entrance to the premises. The system shall be on and recording at all times the premises licence is in operation.

8. The CCTV cameras and recording equipment must be of sufficient quality to work in all lighting levels inside the premises at all times.
9. CCTV footage will be stored for a minimum of 28 days.
10. The management will give full and immediate cooperation and technical assistance to the Police in the event that CCTV footage is required for the prevention and detection of suspected or alleged crime.
11. The CCTV images will record and display dates and times, and these times will be checked regularly to ensure their accuracy.
12. Subject to Data Protection guidance and legislation, the management of the premises will ensure that key staff are fully trained in the operation of the CCTV, and will be able to download selected footage onto a disk for the police without difficulty or delay and without charge to Sussex Police.
13. Any breakdown or system failure will be notified to the police immediately & remedied as soon as practicable.

The CCTV time was 30 minutes fast. Staff were unable to operate the CCTV, so we were unable to confirm whether it was recording, covering all public areas and storing for 28 days in accordance with the above condition.

15. The premises licence holder and management will have in place an operations manual detailing policies and training, details of which have been inspected by Sussex Police and approved by them and the Licensing Authority and any major change intended to this manual shall be so approved before being taken into use. The operations manual acknowledges the good practice and both legal and social responsibilities of the licence holder and will document the management structure and all training carried out.

Staff were unable to produce an operation manual.

For Public Safety

16. No glass/bottles will be permitted on the front outside seating areas at any time.

Staff confirmed that glass was allowed outside in the seating area.

17. No drinks will be allowed outside the premises after 23:00 hours.

Staff advised that customers were allowed to drink outside after 23:00.

18. An incident log will be maintained by the premises showing a detailed note of incidents that occur in the premises. The incident log will be inspected and signed off by the DPS (or a person with delegated authority) at least once a week. The logbook should be kept on the premises and be available for inspection at all times the premises are open by authorised officers of the Licensing Authority or the police. An incident will be defined as being one which involves an allegation of a criminal offence. Any refusals made at any of the bars/point of alcohol service e.g. for intoxication, will also be recorded in writing. Feedback regarding this will be given to staff as relevant.

Staff were unable to provide us with a copy of the incident log. And wasn't aware there was one.

For the Protection of Children from Harm

28. All staff members engaged, or to be engaged, in selling alcohol on the premises shall receive the following training in age-restricted sales and drunkenness:

- The premises licence holder will ensure that all staff members engaged in selling alcohol on the premises shall receive induction training as to the lawful selling of age-restricted products and not serving a drunk prior to the selling of such products, and verbal reinforcement / refresher training thereafter at intervals not to exceed 8 weeks, with the date and time of the verbal reinforcement/refresher training documented.
- All age-restricted sales and preventing serving an intoxicated person training undertaken by staff members shall be fully documented and recorded. All training records shall be made available to Sussex Police, Officers of the Local Authority and Brighton and Hove Weights and Measures Officers upon request.

Staff were unable to provide any training records.

29. All staff are to receive training in line with the operations manual detailed in Condition 15 above.

Staff were unable to provide any training records.

I remind you that non-compliance with conditions constitutes a breach of the Premises Licence issued under the above legislation. Please ensure that all conditions on the licence are adhered to. It is an offence under the Licensing Act 2003, S136(1) and (4) to carry on unauthorised licensable activities. The legislation states that:-

(1) A Person commits an offence if –

- (a) he carries on or attempts to carry on a licensable activity on or from any premises otherwise than under and in accordance with an authorisation, or
- (b) he knowingly allows a licensable activity to be carried on.

(4) A person guilty of an offence under this section is liable on summary conviction to imprisonment for a term not exceeding six months or to an unlimited fine, or to both.

Irrespective of the permission's and restrictions attached to any premises licence, all licensed premises are required to operate with regard to the 4 licensing objectives, which are;

- o The Prevention of Crime and Disorder
- o Public Safety
- o Prevention of Public Nuisance
- o Protection of Children from Harm

Please be aware that any enforcement action is taken in line with our Licensing Enforcement Policy. You are also reminded that at any stage, following the grant of a premises licence, a responsible authority, such as the Police, Environmental Health, or an interested party such as a resident living in the vicinity of the premises, may ask the Licensing Authority to review the licence because of a matter arising at the premises in connection with any of the four licensing objectives.

A copy of this email has also been sent to Police Licensing.

Please acknowledge receipt of this email and advise on actions you will be taking to address the above breaches.

When responding please reply to all in this email.

Regards

Donna Lynsdale | Fair Trading Officer & Licensing Officer (Trading Standards & Licensing),
Safer Communities

Brighton & Hove City Council, 2nd Floor, Barts House, Barts Square, BN1 1JP

T 01273 292494 | REDACTED

Our customer promise to you

We will make it clear how you can contact or access our services | We will understand and get things done | We will be clear and treat you with respect

REP B – Police Licensing

10th June 2024

The Licensing Technical
Support Officers Environmental
Health, Brighton & Hove City
Council Bartholomew House,
Bartholomew Square Brighton,
East Sussex
BN1 1JP

Dear Corinne Hardcastle,

RE: APPLICATION FOR A VARIATION OF THE PREMISES LICENCE FOR THE PIPELINE, 6 LITTLE EAST STREET, BRIGHTON, EAST SUSSEX, BN1 1HT UNDER THE LICENSING ACT 2003. 1445/3/2024/01573/LAPREV.

I write on behalf of the Chief Officer of Police for Sussex to raise a representation against the grant of the above application on the grounds that it will undermine the Licensing Objectives of the prevention of crime and disorder, prevention of public nuisance and public safety. We also make reference to the Brighton & Hove City Council (BHCC) Statement of Licensing Policy (revised January 2021) and the Revised Guidance issued under section 182 of the Licensing Act 2003 (December 2023).

Paragraph 3.1.3 of the Brighton and Hove City Council 2021 Statement of Licensing Policy states that:

'The licensing authority, after careful consideration, has determined that the concentration of licensed premises in an area of the city centre is causing problems of crime and disorder and public nuisance, and that therefore an approach to 'Cumulative Impact' is necessary as part of its statement of licensing policy.'

This is a proposed variation application in an area of the City which is subject to a Special Policy adopted by Brighton & Hove City Council. The premises lies in the Cumulative Impact Zone (CIZ) (as defined in the BHCC Statement of Licensing Policy) and seeks to remove / amend the conditions that were placed on the licence by a Licensing Panel at a Hearing for the Review of the licence in 2014. Doing so will change the use of the licensed premises from a 'café bar' style set up to a 'grassroots music' venue.

The licensing decision matrix on page 18 of the Council Statement of Licensing Policy (SoLP) suggests that new premises or premises licence variations in this area asking to provide 'On' sales are very limited and are a 'No' for venues where alcohol is served without a food offering. However, the matrix does support 'non-alcohol led' offerings, which a 'grassroots music' venue could fall under, if the alcohol hours were appropriate and more in line with the live music offering.

We are aware that Brighton & Hove City Council are supportive of live music venues and there is a current drive to preserve and uphold these. Sussex Police attend the Brighton Music Venues Alliance meetings when we are able and have listened to the concerns of the venues involved. While we also wish to be supportive of grassroots music and venues that are music focused, we still have to consider all licensing applications in the light of the crime & disorder licensing objective. There are continuing concerns around the area which the venue is located and the later alcohol hours with no food provision or live music offering.

Additionally, The Pipeline (then called The Northern Lights) was previously taken to Review by Sussex Police in 2014 and to remove the conditions placed on the licence then would be to completely change the nature of the venue.

The 'Cumulative Impact Zone' is covered by special policy and paragraph 3.1.6 provides that:

'The special policy will only be overridden in exceptional circumstances. The effect of this special policy is that applications for new premises licences or club premises certificates within the area, or variations which are likely to add to the existing Cumulative Impact, will be refused following relevant representations. This presumption can be rebutted by the applicant if they can show that their application will have no negative Cumulative Impact.'

Paragraph 14.40 of the Secretary of State's Guidance to the Licensing Act 2003

(December 2023) provides:

'In publishing a CIA a licensing authority is setting down a strong statement of intent about its approach to considering applications for the grant or variation of premises licences or club premises certificates in the area described... Applications in areas covered by a CIA should therefore give consideration to potential cumulative impact issues when setting out the steps that will be taken to promote the licensing objectives.'

Additionally, this premises lies within Regency Ward which, as evidenced by the Brighton & Hove Public Health Framework for Assessing Alcohol Licensing (accessed at <https://public.tableau.com/app/profile/brightonhovepublichealthintelligence/viz/PublicHealthFrameworkforAssessingAlcoholLicensing/NavigationPage>), is ranked number 1 for All violence against the person, All injury violence, Non-injury and Sexual offences. This ward is also ranked number 2 for Police recorded alcohol related incidents and number 3 for Criminal damage, demonstrating the higher risk to the Licensing Objective of the Prevention of Crime and Disorder in this area.

The applicant did pre consult with Sussex Police and have worked extensively to agree on new conditions and risk assessments for the type of venue that the applicant wishes to run (please see Appendix 1 for the latest position that Sussex Police sent to the applicant in March 2024). However, the timings for licensable activity, in particular the sale of alcohol, have not been able to be agreed upon as they vastly exceed the live music hours.

Therefore, due to the premises location within the City, Sussex Police do not believe that what has been discussed goes far enough to help mitigate the potential risk. The local concerns and issues that the area East Street, Little East Street, Kings Road and the surround attracts, particularly in the warmer months, remain. Additionally, this premises licence had conditions placed under it by Licensing Panel following a Review of the licence and so it is felt having the variation heard by a committee is appropriate due to the changes that are being applied for.

The application is consequently at risk of undermining the prevention of crime & disorder, prevention of public nuisance and public safety Licensing Objectives. Furthermore, Sussex Police contend that the carrying on of additional licensable activity by amending the licence to remove certain restrictions to on sales (and the provision of food/seating), previously defined at a Licensing hearing, will add to the existing negative cumulative effect in an area already saturated with licensed premises.

In conclusion, Sussex Police invite the Licensing Authority to seriously consider this application in light of their own policy as well as the local crime and disorder concerns.

Yours sincerely,

REDACTED

Insp Dan Eagle
Ops Planning and Events (inc. Licensing)
Inspector Brighton & Hove Division
Sussex Police
Appendix 1 – Proposed Amendments 26.03.2024

Proposed Amendments to timings and conditions at Pipeline, 6 Little East Street as part of a Minor Variation (to be resubmitted in due course)

Amendment of Variation to the timings of licensable activity and opening hours (to be discussed).

Licensable activities:

- **Performance of Recorded Music -**

Indoors Sunday- Thursday: 11:00 – ~~00:00~~ 23:00

Friday - Saturday 11:00 – ~~02:00~~ 00:00

PLUS: On Sunday nights before bank holiday Mondays from 11:00 – 02:00 On ~~"Juhannus"—traditional Scandinavian mid-summer party (on the Saturday nearest summer solstice)—until 11 a.m. the following morning.~~

~~On the Saturday nearest 06 December until 5 a.m. the following morning.~~ On New Year's Eve until 5 a.m. the following morning.

- **Late Night Refreshment -**

Indoors Sunday- Thursday: 23:00 –

~~00:00~~ 23:00

Friday – Saturday: 23:00 – ~~02:00~~ 00:00

PLUS: On Sunday nights before bank holiday Mondays from 11:00 – 02:00 On ~~"Juhannus"—traditional Scandinavian mid-summer party (on the Saturday nearest summer solstice)—until 5 a.m.~~

On New Year's Eve until 5 a.m.

- **Sale by Retail of Alcohol**

Sunday – Thursday 11:00 – ~~00:00~~ 23:00

Friday - Saturday 11:00 – ~~01:00~~ 00:00

PLUS: On Sunday nights before bank holiday Mondays from 11:00 – 01:00 ~~On "Juhannus"—traditional Scandinavian mid-summer party (on the Saturday nearest summer solstice)—until 11 a.m. the following morning~~

~~On the Saturday nearest 06 December until 5 a.m. the following morning.~~ On New Year's Eve until 5 a.m.

- **Hours premises are open to the public:**

Sunday – Thursday 11:00 – ~~00:00~~ 23:30

Friday – Saturday 11:00 – ~~02:00~~ 01:00

PLUS: ~~On "Juhannus"—traditional Scandinavian mid-summer party (on the Saturday nearest summer solstice)—until 11a.m. the following morning~~

~~On the Saturday nearest 06 December until 5 a.m. the following morning.~~ On New Year's Eve until 5 a.m.

Conditions:

Retain

~~Remove/Update~~

Replace/New

Annex 2 – Conditions consistent with the Operating Schedule

General

1. Authorised staff employed by Sussex Police shall have free access to all parts of the licensed premises at all times licensable activity is taking place or when open to members of the public, for the purpose of inspection to ensure compliance with the terms and conditions of the premises licence and to ensure the promotion of the licensing objectives.

For the Prevention of Crime and Disorder: Refer to Annex 3

For Public Safety:

~~1. Signage will be clearly positioned on the premises informing customers that they will be refused service if they breach the key policies of the premises relating to the prevention of and/or disorder caused by drug use, intoxication, underage and disorderly behaviour.~~

For the Prevention of Public Nuisance:

2. Live music performances will end at ~~24:00 hrs on Friday, Saturday and Sunday~~ and at ~~23:00 hrs Monday to Thursday~~. 23:00hrs daily.
3. Outdoor lights to be maintained in good working order.

For the Protection of Children from Harm:

- ~~4. The premises shall at all times maintain and operate an age-restricted sales refusal book which shall be reviewed by the Designated Premises Supervisor at intervals of no less than 4 weeks and feedback given to staff as relevant. This refusals book shall be available upon request to police staff, Local Authority staff and Trading standards.~~

Annex 3 – Conditions attached after a hearing by the licensing authority- Review 03.03.15

- ~~1. The premises will trade as a food-led venue with full main courses available until 23:00 Sunday – Thursday, and 00:00 (midnight) on Fridays and Saturdays, sandwiches and light snacks will be available thereafter until close.~~
- ~~2. Waiter and waitress service shall be available at all times and the premises shall have available seating to accommodate at least 80% of the premises total client capacity. (This is to prevent the premises from operating as a vertical drinking establishment)~~
- ~~3. The areas given to the use of chairs and tables may be cleared for the purpose of stand up / pre booked / private functions on no more than 24 occasions per year, subject to each occasion being notified in writing to the police at least 7 days in advance.~~
4. The provision of alcohol at the premises shall be ancillary to the premises operating as a grassroots music venue.
5. The premises and its management/DPS will be a member of the Music Venue Trust (or other similar body should the MVT cease to exist).
6. The premises and its management/DPS will be a member of the local Brighton Music Venue Alliance and will attend (or send a representative) all 'roundtable' / quarterly meetings organised by them for members.
7. The performance of live music will only take place in the upstairs area (first floor) of the premises.

8. The upstairs will be closed to members of the public 30 minutes after the end of any live performance on Sunday – Thursday and 60 minutes after the end of any live performance on Friday – Saturday.

For the Prevention of Crime and Disorder

~~4. The premises will employ one (1) SIA registered door supervisor from 22:00 hrs till close on Friday and Saturday. Once COVID-19 Government Social Distancing guidelines are removed, this condition will revert back to: The premises will employ SIA registered door supervisors from 21:30 hrs till close on Friday and Saturday evenings at a ratio of 1:100 – with a minimum of two.~~

9. The premises will employ one (1) SIA registered door supervisor from 22:00hrs until close on a Friday and Saturday night.

~~5. SIA Licenced Door Supervisors shall be employed at the premises on any other occasions when a requirement is identified by the licence holder's written risk assessment or requested by Sussex Police in writing at least 7 days in advance. Further, as part of this written risk assessment the premises licence holder will consult with Sussex Police and take into consideration their advice regarding the following: public holidays, when seasonal variations are taking place and other city wide events e.g: Pride. This written risk assessment will be reviewed every 12 months or sooner should the need arise and a copy shall be retained at the premises.~~

~~6. At all other times, the premises will employ a mobile support unit with a minimum of 2 SIA registered Door Supervisors operating from it.~~

10. The premises / management will contract the back-up services of an approved Mobile Support Unit (MSU) 24 hours a day, with a minimum of 2 SIA registered Door Supervisors operating from it. A copy of the MSU contract will be retained at the premises and made available for immediate inspection

upon request by Sussex Police or Council Officials. The MSU will be accredited by the Brighton Business Crime Reduction Partnership (BCRP) or other similar organisation approved by Sussex Police should the BCRP not be in existence.

11. A documented risk assessment must be produced by the premises which identifies the activities undertaken at the premises and the controls necessary to promote the licensing objectives. It will include a written assessment demonstrating what considerations have been made for both normal day to day activities and any special events or functions which may arise during the year. This document shall be immediately available for inspection by the Police and the Licensing Authority, upon request and reviewed every 12 months. The written risk assessment will include:

- a) Any other times when SIA trained and licenced door supervisors shall be employed e.g. on occasions when a requirement is identified by the licence holders written risk assessment or requested by Sussex Police (in writing at least 48 hours in advance).
- b) What considerations have been made by the licence holder regarding any additional special events e.g. music festivals, public holidays, seasonal variations and other events which may arise in the city during the year e.g. Pride.
- c) The use of glassware versus shatterproof or polycarbonate drinking vessels and the supply of glass bottles to customers.

12. The premises licence holder and management will have in place an operations manual detailing policies and training, a copy of which will be kept on the premises and available at all times for inspection by authorised officers of the Police and the Local Authority. The operations manual acknowledges the good practice and both legal and social responsibilities of the licence holder and will document the management structure as well as who the DPS has authorised to make sales of alcohol within the premises.

~~7. Digital CCTV and appropriate recording equipment to be installed in accordance with Home Office Guidelines relating to UK Police Requirements for Digital CCTV System (PSDB Publication Number 09/05), operated and maintained throughout the premises internally and externally to cover all public areas, including the entrance to the premises. The system shall be on and recording at all times the premises licence is in operation.~~

~~8. The CCTV cameras and recording equipment must be of sufficient quality to work in all lighting levels inside the premises at all times.~~

~~9. CCTV footage will be stored for a minimum of 28 days.~~

~~10. The management will give full and immediate cooperation and technical assistance to the Police in the event that CCTV footage is required for the prevention and detection of suspected or alleged crime.~~

~~11. The CCTV images will record and display dates and times, and these times will be checked regularly to ensure their accuracy.~~

~~12. Subject to Data Protection guidance and legislation, the management of the premises will ensure that key staff are fully trained in the operation of the CCTV, and will be able to download selected footage onto a disk for the police without difficulty or delay and without charge to Sussex Police.~~

~~13. Any breakdown or system failure will be notified to the police immediately & remedied as soon as practicable.~~

13. Subject to GDPR guidance and legislation:

(a) Digital CCTV and appropriate recording equipment to be installed in accordance with Home Office Guidelines relating to UK Police Requirements for Digital CCTV System (PSDB Publication Number 09/05), operated and maintained throughout the premises internally and externally to cover all public areas, including the entrance to the premises. The system shall be on and recording at all times the premises licence is in operation.

(b) The CCTV cameras and recording equipment must be of sufficient quality to work in all lighting levels inside the premises at all times.

(c) CCTV footage will be stored for a minimum of 31 days.

(d) The management will give full and immediate cooperation and technical assistance to the Police in the event that CCTV footage is required for the prevention and detection of suspected or alleged crime.

(e) The CCTV images will record and display dates and times, and these times will be checked regularly to ensure their accuracy.

(f) The management of the premises will ensure that key staff are fully trained in the operation of the CCTV, and will be able to download selected footage onto a disk (or other electronic portable device acceptable to Sussex Police e.g. USB) or provide footage via an online link as initiated by Police, without difficulty, delay or charge.

(g) Any breakdown or system failure will be notified to the police immediately and remedied as soon as practicable. This can be via email - brighton.licensing@sussex.police.uk. Repair records /invoices shall be kept on site for at least 12 months and be readily available to be viewed by all authorised person upon request.

(h) In the event of the CCTV system hard drive being seized as evidence as part of a criminal investigation by Sussex Police or for any other reason, the

premises will be expected to install a replacement hard drive or a temporary replacement drive as soon as practicable.

~~14. The premises will be a member of the Brighton and Hove Business Crime~~

~~Reduction Partnership or similar police approved scheme while one is in existence.~~

14. The premises will become a member of the Business Crime Reduction Partnership (BCRP) or similar scheme approved by the Licensing Authority. The scheme must operate, subject to local coverage, radios and additionally an exclusion/banning scheme of named individuals within both the day and night time economy.

~~15. The premises licence holder and management will have in place an operations manual detailing policies and training, details of which have been inspected by Sussex Police and approved by them and the Licensing Authority and any major change intended to this manual shall be so approved before being taken into use. The operations manual acknowledges the good practice and both legal and social responsibilities of the licence holder and will document the management structure and all training carried out.~~

15. The management and premises will have an absolute zero tolerance policy towards drugs and drug misuse. Any illegal drugs seized or found will be documented and stored in a lockable 'drugs box'. Management will contact police once a month to inform them of any drug seizures and request the drugs are collected. This contact will take place even if there have been no seizures that month.

16. Individuals found to have drugs in their possession will be banned from the premises.

17. Regular checks of all toilets will take place on every day that the premises remains open for business. These checks will be documented and records made available on request to Sussex Police and authorised officers of the local authority.

For Public Safety

18. No glass/bottles will be permitted on the front outside seating areas at any time.

19. No drinks will be allowed outside the premises after 23:00 hours.

~~18. An incident log will be maintained by the premises showing a detailed note of incidents that occur in the premises. The incident log will be inspected and signed off by the DPS (or a person with delegated authority) at least once a week. The log book should be kept on the premises and be available for inspection at all times the premises are open by authorised officers of the Licensing Authority or the police. An incident will be defined as~~

~~being one which involves an allegation of a criminal offence. Any refusals made at any of the bars/point of alcohol service e.g. for intoxication, will also be recorded in writing. Feedback regarding this will be given to staff as relevant.~~

20. An incident log shall be kept at the premises and must be completed within 24 hours of the incident. It will record the following:

- a. all crimes reported to the venue
- b. all ejections of patrons
- c. any complaints received concerning crime and disorder
- d. any incidents of disorder
- e. all seizures of drugs or offensive weapons
- f. any faults in the CCTV system, searching equipment or scanning equipment
- g. any refusal of the sale of alcohol including, date, time, reason e.g. underage and name of staff member
- h. any visit by a relevant authority or emergency service.

21. The incident log will:

- a) be inspected and signed off by the DPS (or a person with delegated authority) at intervals of no more than four (4) weeks.
- b) be kept on the premises and be available for inspection at all times the premises are open by authorised officers of the Licensing Authority or the police. An incident will be defined as being one which involves an allegation of a criminal offence or as listed in the above condition.
- c) be used to give feedback to staff to ensure that the log is used on each occasion that a refusal, ejection or incident occurs at the premises and to identify any patterns or trends.
- d) be kept for a minimum of twenty-four (24) months.

22. The external seating area will be defined and cordoned off by a physical barrier e.g. planters, to be in use all the time the premises is open. This will provide a barrier, restrict access from the pavement directly into that area and ensure there is only one entrance to the outside area.

23. Customers will not be permitted to take drinks beyond the delineated external seating area onto the pavement and road.

24. The external seating area must be checked and tables cleared once customers have finished. The area must be regularly monitored, at least every 30 minutes during licensable hours and all furniture is to be cleared at

close of business.

For the Prevention of Public Nuisance

- 25. Windows and doors to be kept shut during the performance of live music.
- 26. Staff must ensure that customers leaving the premises leave in a quiet and orderly manner.
- 27. Signs to be put up asking customers to respect local residents when leaving.
- 28. Outdoor lights to be maintained in good working order.
- 29. A written sound management plan will be adhered to at all times live music is being performed at the premises. A copy of this plan is to be maintained/kept at the premises and will be reviewed every 12 months for suitability. The sound management plan shall be made available to Sussex Police, officers of the local authority and officers from the Trading Standards team upon request.

For the Protection of Children from Harm

- 30. Children under the age of eighteen will only be permitted on the premises before 23:00 when accompanied by an adult e.g. someone over eighteen years of age.
- 31. No children under the age of eighteen will be permitted to remain on the premises after 23:00.
- ~~26. The premises will operate a "Challenge 25" policy whereby any person attempting to buy alcohol who appears to be under 25 will be asked for photographic ID to prove their age. The recommended forms of ID that will be accepted are passports, driving licences with a photograph, photographic military ID or proof of age cards bearing the 'PASS' mark hologram. The list of approved forms of ID may be amended or revised with the prior written agreement of Sussex Police and the Licensing Authority without the need to amend the licence or conditions attaching to it.~~
- 32. The premises will operate a "Challenge 25" policy whereby any person attempting to buy alcohol who appears to be under 25 will be asked for photographic ID to prove their age. The recommended forms of ID that will be accepted are passports, official Photographic Identity Cards issued by EU states bearing a hologram or ultraviolet feature, driving licences with a photograph, photographic military ID or proof of age cards bearing the

'PASS' mark hologram. The list of recommended forms of ID may be amended or revised with the prior written agreement of Sussex Police, the Licensing Authority and Trading Standards without the need to amend the licence or conditions attaching to it.

33. Signage advertising the "Challenge 25" policy will be displayed in prominent locations in the premises.

~~28. All staff members engaged, or to be engaged, in selling alcohol on the premises shall receive the following training in age-restricted sales and drunkenness:~~

~~• The premises licence holder will ensure that all staff members engaged in selling alcohol on the premises shall receive induction training as to the lawful selling of age-restricted products and not serving a drunk prior to the selling of such products, and verbal reinforcement / refresher training thereafter at intervals not to exceed 8 weeks, with the date and time of the verbal reinforcement/refresher training documented.~~

~~• All age-restricted sales and preventing serving an intoxicated person training undertaken by staff members shall be fully documented and recorded. All training records shall be made available to Sussex Police, Officers of the Local Authority and Brighton and Hove Weights and Measures Officers upon request.~~

~~34.~~

(a) The Premises Licence Holder shall ensure that all staff members engaged or to be engaged, in selling alcohol at the premises shall receive the following induction training. This training will take place prior to the selling of such products:

- The lawful selling of age restricted products
- Refusing the sale of alcohol to a person who is drunk
- Refusing the sale of alcohol for consumption off the premises to people who may have alcohol dependency issues

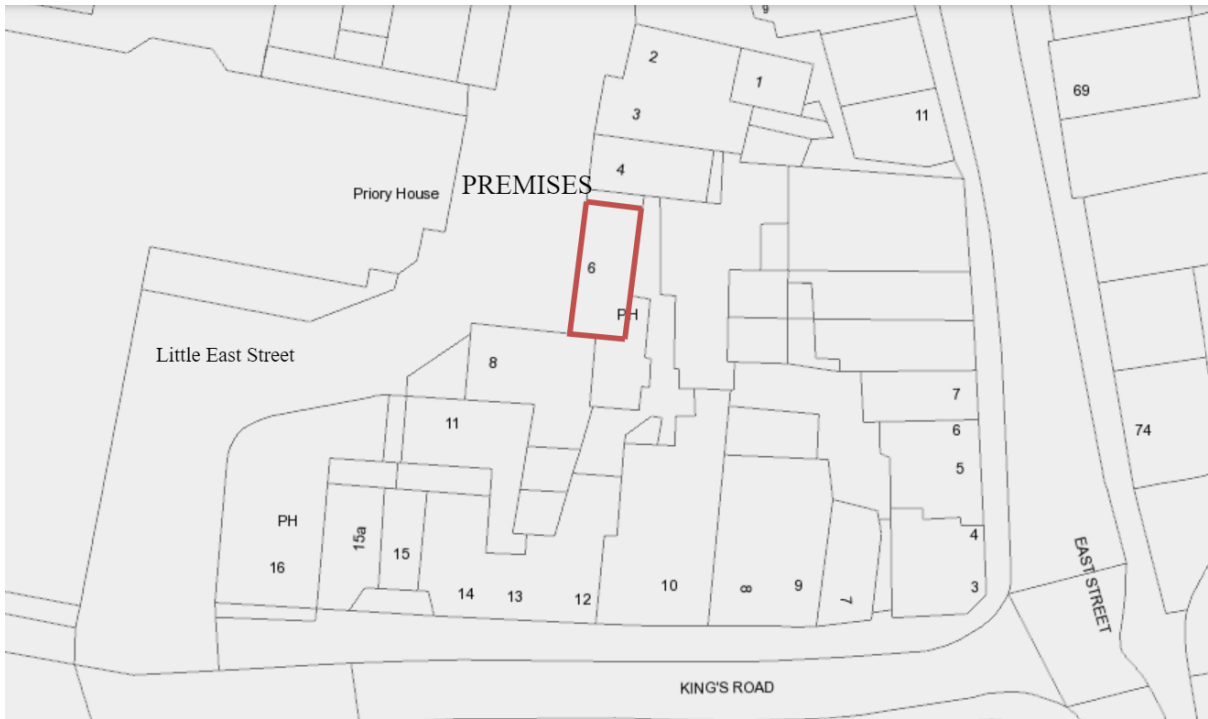
(b) Further verbal reinforcement/refresher training covering the above will be carried out thereafter at intervals not to exceed 8 weeks, with the date and time of the verbal reinforcement/refresher training documented.

(c) All such training undertaken by staff members shall be fully documented and recorded. All training records shall be made available to Sussex Police, officers of the local authority and officers from the Trading Standards team upon request.

35. All staff are to receive training in line with the operations manual detailed

in Condition 12 above as well as the Sound Management Plan.

Appendix E



LICENSING ACT 2003
APPLICATION FOR A PREMISES LICENCE
THE PIPELINE, 6 LITTLE EAST STREET, BRIGHTON BN1 1HT
STATEMENT ON BEHALF OF THE APPLICANT
THOMAS ISMAIL EKREM EVRENOS

Introduction

The Pipeline started 2009 in East London. The ambition was to run a music led venue with good quality food and drinks. After 7 years in London the venue rent tripled, and we could not afford to stay at our leased premises. In 2017 we reopened at 6 Little East Street. We kept the concept of running a music led venue. The new premises in Brighton was a listed grade 2 building with a history of problems with complaints from both the Police and Environmental Health Officers.

We understood that because we had a license that was based on previous tenant's activities that we were going to have to make operational changes and improvements in order to rebuild strong relationships with the neighbouring community from those that they had with the previous tenant. We feel that we have achieved that; we have put operational procedures in place and our business has always been one which does not attract any complaints nor cause any issues or disturbances.

Since the pandemic we have, thanks to support from Arts Council England, created a very good and inclusive DIY live music venue with gigs on a very regular basis. We are holding approximately 200 live music events per year and only open the upstairs space when we have artists performing. We host regular events in collaboration with BIMM, University of Sussex and Water Bear College of Music and more. We were also part of the Homegrown Festival this April which hosted around 50 local bands performing in 6 venues across the city.

Having a small capacity of just 60 we are often the first venue for new bands to play. We have fostered many Brighton-based, and international grassroots touring artists who have later become big worldwide success stories. We are committed to providing affordable access to original live music for our community. Our concept also includes supporting local promoters who can use our space for free to put on shows.

We have full professional production, backline and PA in-house, so artists need only bring hand instruments when they perform. The venue's social media reach includes around 13,000 followers with high levels of communication. The venue prides itself as being 100% independent, we do not benefit from the support of a large brewery or from being part of a chain. We employ 10 members of staff, including some who are specific to our live offering.

We are an active member and founder of Music Venues Alliance Brighton together with most of the local grassroots music venues.

Responsible authority representation and Council Licensing Policy

This licence application is only in receipt of two representations from the Police Licensing Team and the Licensing Authority.

As stated, we took over the existing licence which was reviewed as it was an alcohol led vertical drinking establishment. We feel that by fully committing to being a grassroots music venue on the first floor rather than a sit down restaurant, we would still be operating in the spirit of the decision made by the Licensing Committee to prevent the premises operating in a fashion it was operating when it was reviewed.

To be clear, our premises has a food provision which is served daily at the premises and will continue to do so. The issue is our business model, and our survival depends on being able to have live music upstairs more than 24 times a year, which is what our current licence permits. We do have to be honest and state that the venue has provided live music on more occasions than 24 times in the last twelve months. However, what this does prove is that the venue can operate as a grassroots live music venue in this location without complaints and continue to promote the licensing objectives. The effect of post-COVID challenges has meant that the venue needs to be resilient and flexible with its booking policy.

The representation from the responsible authorities does not include any noise complaints or crimes involving the premises, because we haven't generated any. We feel that this demonstrates the premises is being managed in accordance with the review decision previously made to prevent it being a virtual drinking establishment.

This application simply wishes to replace the provision of food with a formal commitment to only operate a grassroots music venue in the first-floor function area. The only issue raised by the authorities was about compliance with the conditions which this application would completely remedy.

Since this visit, we have worked hard to reach an agreement with the responsible authorities and have updated policies and procedures. These are attached at **PL01**. All the suggested conditions attached to the application are agreed with the responsible authorities. We had tried to get these amended as a minor variation, and our understanding was they were happy with the new proposals but would only be able to agree to the amendments if we significantly reduced our operating hours, however, reducing our operating hours would completely destroy our ongoing viability and ability to keep the venue going. The reason why we can confidently say this is felt across the whole grassroots music sector: On its own the music program presented by venues such as ours at The Pipeline do not make a profit and often run at a loss, and trading hours are therefore vitally important.

The Music Venue Trust Annual Report 2023 recognised that the average profit margin of a UK grassroots music venue is 0.5%, and that at its core, the provision purely of live music is a loss-making activity; the national subsidy invested by GMVs in order to provide grassroots music is over £114 million. It is other revenue streams, like late-night provision of food & beverages, which enable GMVs like ours to provide their cultural activity. The Pipeline has been generated losses the last two years.

The suggestion from representations to cut our trading hours makes us no longer a grassroots music venue. Grassroots live music in the whole of UK is normally happening between 8-11pm. For a small venue it means that the band arrives between 5-7pm, soundchecks and start around 8pm. To close service in the bar at the same time as the band finish, as suggested by the representation, is not viable. The musicians might want to have a drink after the show, guests might want to wind down before they leave the premises etc.

We feel that operating a grassroots venue means we wouldn't add to cumulative impact in Brighton Centre as the clientele and offer we want to provide has demonstrated that

this doesn't lead to complaints or crime and disorder problems which the policy seeks to reduce.

Brighton Licensing Policy was drafted in a large part to protect the amenity of the residents. There are no complaints from our residents in respect of how Pipeline is operated and managed and importantly no residential representations were received to this application which you are determining.

We have also future proofed the operating schedule so that if granted as requested the venue can only operate as a grassroots venue for this point forward or it would need to go back in front of members again for a future formal variation application.

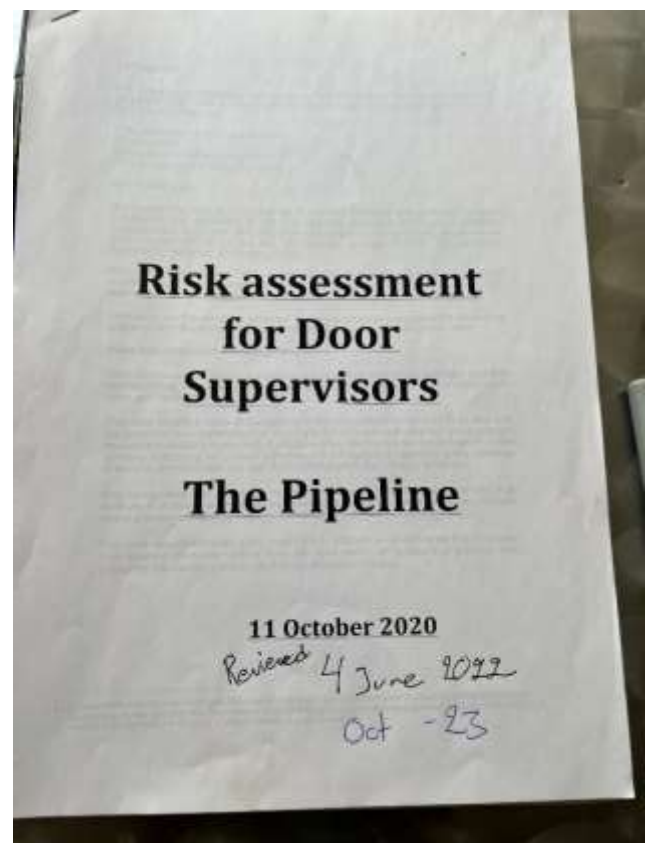
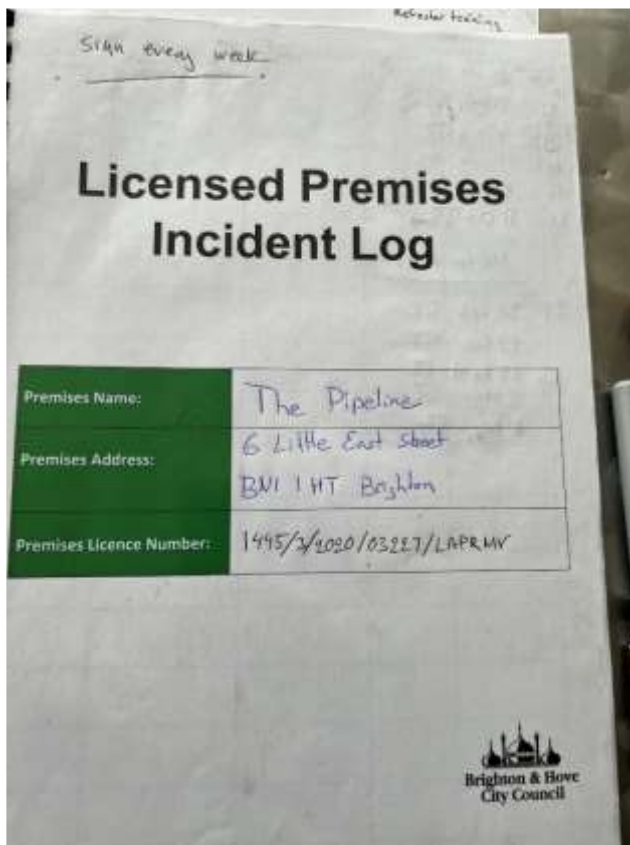
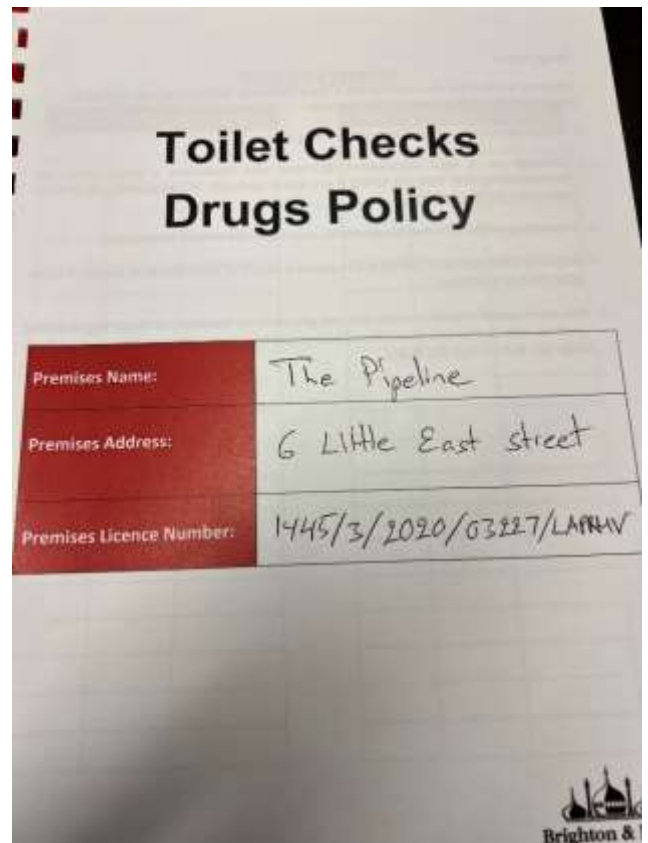
Conclusion

We have been successful in managing our venues with later hours without any complaints since we took over the premises. We are part of the growing a successful live music community in Brighton that resident and the Council support and are proud of.

We simply request to members to regularise our licence in line with how we are now primarily operating. We do offer food daytime and evening trading hours but need to be able to have the upstairs room as a grassroots music venue rather than a sit-down restaurant to be able to remain viable.

The responsible authorities are both supportive of the transition to a live music venue but have concerns about the operating hours. We submit that we have demonstrated that we can operate these hours and promote the licensing objectives. We therefore hope the Committee are understanding in respect of our transition from a restaurant to offering live music more than 24 times a year and amend our licence as requested with our existing operating hours intact so we can finally become a permanent grassroots live music venue and our that will be successful for years to come.

The Pipeline - Thomas Evrenos Hearing Statement - PL01



Licensed Premises Risk Assessment

Premises Name:	The Pipeline
Premises Address:	6 Little East Street
Premises Licence Number:	1445/3/2020/03227/LAPRMV

Brighton & Hove
City Council

Reorder tickets every 2 weeks

ALCOHOL

GUIDANCE & ADVICE ON THE LAW FOR BRIGHTON & HOVE BUSINESSES

Premises Name:	The Pipeline
Premises Address:	6 Little East Street BN1 1HT Brighton
Premises Licence Number:	1445/3/2020/03227/LAPRMV

Brighton & Hove
City Council

V3 - 03/22

Noise Log

Premises Name:	The Pipeline
Premises Address:	6 Little East Street
Premises Licence Number:	1445/3/2020/03227/LAPRMV

REDACTED - Applicant addendum – received 05.07.2024



From: Thomas Evrenos REDACTED
Sent: Friday, July 5, 2024 2:31 PM
To: Corinne Hardcastle REDACTED

EHL Licensing <EHL.Licensing@brighton-hove.gov.uk>
Subject: Fwd: PIPELINE SUPPORT FROM MVAB

Hi, Message from MVAB.

Kind regards,

Thomas Evrenos

----- Forwarded message -----

From: REDACTED
Date: Fri, 5 Jul 2024 at 15:16
Subject: PIPELINE SUPPORT FROM MVAB
To: Thomas Evrenos REDACTED

To whom it may concern,

I am writing to you on behalf of Music Venues Alliance Brighton in support of The Pipeline license variation. REDACTED of Music Venues Alliance Brighton a small organisation funded by BHCC to support Grassroots Music Venues here in Brighton & Hove. Last year with 5 other venues, including The Pipeline MVAB put together a local festival called HOMEGROWN to showcase the incredible live scene we have and the venues that allow the scene to thrive. It SOLD OUT and was a really well received event. We are hoping to make that happen again in 2025 with a grant from ACE.

The Pipeline is a crucial part of that grassroots eco system as it provides a unique DIY space which contributes a great deal to our thriving music scene. It's where many young bands can put on their first ever show. It's also a well run establishment and very highly regarded as a safe space by many here in the City.

At our most recent MVAB meeting all venue operators present agreed to support The Pipelines

licensing requirements as they are both reasonable and necessary to allow the venue to continue and thrive.

Yours Faithfully,

REDACTED